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ELY CHAPTER ORDINANCES
AND VISITATION RECORDS
1241—1515

EDITED BY
SEIRIOL J. A. EVANS, F.S.A.

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INTRODUCTION

The nine documents printed here all contain legislation for the cathedral priory of Ely, but they are not all alike in form. The statutes of Walpole, and the injunctions of Orford, Arundel, and Gray exemplify the kind of monastic legislation which is most commonly known, namely that which is based on the *comperita* of a visitation, and imposed upon the house by the visitor's authority. The chapter ordinances of 1304 and 1314, however, represent a somewhat different type in which the prior and chapter have legislated for themselves, without the assistance or compulsion of any visitor, and have authenticated the document by their own seals. These chapter ordinances are not unique—there are, for example, similar ordinances for Durham,¹ Canterbury,² and Spalding³—but not much is known about the occasion of them, nor of the method by which they came into being. They may have been the result of prolonged deliberation by a prior and chapter who knew the weaknesses of their convent; or perhaps, following episcopal practice, some examination of the brethren may have taken place, from the *comperita* of which these ordinances were compiled. The frank criticisms of the prior, contained in both sets of the Ely ordinances, do not suggest that they were drawn up at a meeting of chapter at which he was chairman. Presumably such ordinances could have been issued at any chapter meeting, but perhaps the annual *conuocacio conuentus*,⁴ on which the sacrist expended a good sum,⁵ may have been the occasion which called them forth. At the priory of Saint-Lô de Rouen in 1276 similar ordinances are said to be issued 'de voluntate presidentis et omnium aliorum fratrum presencium in compoto et capitulo generali divi Laudi Roto-

¹ Durham Cathedral libr., MSS. B. IV. 26 and 45.

² Lambeth Palace libr., MS. 198. B. fo. 285.

³ W. Dugdale, *Monasticon anglicanum*, ed. J. Caley, etc. (London, 1817-30) iii. 230.

⁴ Cf. F. R. Chapman, *Sacrist rolls of Ely* (Cambridge, 1907) ii. 5.

⁵ *Op. cit.*, ii. 5, 16.

magensis . . . in quo nullus deficit.' ¹ This kind of annual general meeting,² at which the *status prioratus* was read, would offer an appropriate opportunity of reviewing the discipline of the house. As one would expect, such ordinances go further into domestic details than episcopal injunctions, which were framed from the particulars of the *detecta* and *comperta* on a more general plan, and we owe a good deal of our knowledge of the internal economy of Ely priory to the information which these two documents reveal. Both fall within Prior John of Fresingfield's term of office, and it is noticeable that while those of 1304 concern matters outside the convent, such as estate management and financial affairs, those of 1314 are 'spectantes principaliter ad religionem et conventum', as if on each occasion a different department of the conventual life had come up for review.

Little need be said about the visitation injunctions of Walpole, Orford, Arundel, and Gray, except that Walpole's preamble is unusual. The bishop states that he has inspected an unwieldy mass of legislation made by popes, archbishops, and bishops for the priory, and from it has picked out those injunctions which were still useful; this recension, with certain additions, he has now edited for the guidance of the monks. The statutes which follow are found to be a very able compilation, built up upon the work of the great monastic legislators of the past. Many of its paragraphs echo the phraseology of the Rule of St. Benedict, or of the statutes of the General Chapter of the Order, and there are many verbatim quotations, which can be identified, from the legatine constitutions of Ottobono (1268), the statutes of Pope Gregory IX for the Black Monks (1235), and from the Decretals.

The first two of our documents, the chapter ordinances of 1241-54, and the injunctions of Bishop Hugh of Balsham, have in common one interesting and abnormal feature, in that they show the bishop and convent collaborating in the framing of disciplinary measures. Though they both have this unusual characteristic, they themselves are quite unlike one another in form. Thus, in the chapter ordinances of 1241-54, it is the prior and convent who enact the provisions 'with the consent and will of the venerable father Hugh',

¹ L. de Glanville, *Histoire du prieuré de Saint-Lô de Rouen* (Rouen, 1891), ii. 391-3.

² Cf. Articles against the abbot and monks of Whitby, *Chapters of the English Black Monks*, ed. W. A. Pantin (Camden Series, 1937) iii. 291: 'capitulum annuale quod in singulis monasteriis singulis annis iuxta effectum statutorum Benedictinorum celebrari deberet.'

while Balsham's injunctions are enjoined upon the monks by the visitor's authority, yet the prior and convent in full chapter ask for the anathema to be pronounced against contraveners, and add their seal to that of the bishop. Some part of the ordinances of 1241-54 are concerned with the recent gifts of Bishop Northwold—his conveyance of land in Berkyng¹ and Wysebech² for his anniversary, and his permission to Florence Fitz-Walter to convey 120 acres at Liveryngton³ to the monks—so asking for his consent must therefore have been an act of courtesy as well as a sign of good will.

The last document in this collection, which comes from the register of Archbishop William Warham, describes itself as '*comperta et detecta*' from a visitation carried out by Master William Fayrhaer, the archbishop's Vicar General, appointed by commission to administer the vacant see after the death of Bishop James Stanley. The word *detecta* is evidently not here used in the technical sense which it generally bears in visitation documents. Apparently that stage in the visitation has been reached in which the visitor, taking the articles of the *comperta* one by one,⁴ interrogates the monks concerned about them. Their answers are here called '*detecta*'. As a rule the *detecta* are those faults uncovered at the initial examination of the convent, and from them the *comperta* are compiled.

The history of the cathedral priory of Ely to the middle of the thirteenth century—the date of the earliest document printed here—is fully told elsewhere.⁵ It will be enough to say here that, after being founded by St. Etheldreda in 673 as a double house for monks and nuns, it was destroyed by the Danes in 870, and refounded as an abbey for Benedictine monks in 970. It was ruled by successive abbots till, in 1109, the bishopric was founded and endowed out of the abbey estates. From that date the prior became president of the house, and the bishop, though titular abbot, was left with jurisdiction only as visitor.

The thirteenth century, to which the first three of the documents belong, was a time of vigorous expansion at Ely, in spite of two

¹ Liber M (Diocesan Registry, Ely) p. 180, col. a.

² *Ibid.*, p. 181, col. b.

³ *Ibid.*, p. 329, col. b.

⁴ Cf. similar articles for Whitby in *Chapters*, ed. Pantin iii. 277 sqq.

⁵ Dugdale, *Monasticon*, ed. Caley, etc., i. 457 sqq.; James Bentham, *History and antiquities of the conventual and cathedral church of Ely* (Cambridge, 1771) p. 45 sqq.; D. J. Stewart, *The architectural history of Ely cathedral* (London, 1868).

periods of upheaval. It began with a few quiet years during which the Galilee porch was added to the cathedral, and the infirmary buildings were enlarged.¹ But by 1208 the Interdict had fallen, and the bishop—on whom at Ely so much depended, for the Isle was his private franchise—was an exile. In 1216 the cathedral and city were ravaged by King John's mercenaries,² and the bishopric was seized by Robert of York, who intended to betray the Isle to the dauphin. The 'Fair of Lincoln', however, put an end to his hopes; but, though he was never consecrated, he managed to hold on to the revenues of the see till 1220.³

The priory did not recover from this disaster till about 1230 when, under Bishop Hugh of Northwold and Prior Ralph, both diocese and convent were well governed. During this peaceful period the presbytery was added to the cathedral,⁴ and there was a considerable extension of the conventual buildings. Tranquillity and prosperity continued under Bishop Hugh of Balsham till, in 1265, the Isle was occupied by the 'Disinherited' who had been holding out against the king since the battle of Evesham. Once more the priory was the centre of an armed camp of outlaws, and several years were needed for recovery from the consequent disorganization and loss.

From 1270 to the end of the century was a period of peace for the monks, but of steadily increasing debt.⁵ The new refectory,⁶ built at this time, was the last great building work to be undertaken till the transformation of the cathedral in the fourteenth century. Systematic taxation, the rapacious demands of Edward I for his Welsh and Scotch wars, culminating in the quarrel with the clergy, drained the convent of ready money on the one hand; while, on the other, they were paying exorbitant fees for litigation at the court of Rome, and struggling against the steady rise of prices in the later years of the century. It was for a convent in such circumstances as these that Bishop Ralph of Walpole legislated in 1300.

The first half of the fourteenth century, to which the ordinances of 1304 and 1314, and the injunctions of Bishop Robert of Orford

¹ The Galilee porch is generally dated *circa* 1215, and the additions to the infirmary, at both east and west, belong to the first decade of the century.

² Roger of Wendover, *Flores Historiarum* (Rolls Series) ii. 171.

³ *Cal. papal letters*, i. 49, 55, 67.

⁴ Brit. Mus. Cott. MS. Tib. B. II, fo. 246v *sqq.*

⁵ Liber M—an early fourteenth century cartulary, now in the Diocesan Registry at Ely—shows a gradual acquisition of land by the monastery all through the thirteenth century.

⁶ Brit. Mus. Harl. MS. 3721, fo. 84v.

belong, was the flowering time of genius at Ely. By 1321 the Lady Chapel had been begun,¹ and Prior John of Crauden² had succeeded the dilapidator Fresingfield. In the next year the fall of the central tower was a catastrophe which might have caused the boldest to despair, but the vigorous prior, aided by his sacrist, the famous Alan of Walsingham,³ faced the situation with resolution and ingenuity. With the support of the bishop, John of Hotham,⁴ they not only completed the Lady Chapel, built the wonderful Octagon, and rebuilt three bays of the choir, but they also put the finances into order.⁵

The Black Death in 1349 reduced the number of monks to twenty-eight.⁶ The nearest chamberlain's roll before the pestilence, that for 1347-8, shows that he issued *robe* to fifty-four monks, which means that almost half the convent was wiped out. No accounts of any obediendary survive for 1349-50 or for 1350-1, but the hosteller's roll for 1351-2 exists. It shows the hostelry working normally, but with much reduced expenses. The chamberlain's roll for 1352-3 records that there were thirty-five monks to be clothed.

Little is known of the history of the priory in the fifteenth and sixteenth centuries. It had its ups and downs, but its domestic history made little contact with the march of great events, except when a king or queen came to stay in the house. It had some share in the troubles of the Peasants' Revolt of 1381, and the account of Archbishop Thomas Arundel's visitation in the early years of the next century shows that it had been going downhill under an incompetent prior.⁷ For the rest, these were centuries of comfortable decline, here as elsewhere. No great scandals marred the Ely records, though its moral condition was by no means satisfactory when Bishop William Gray visited the house in 1466.⁸ Yet the documents, scanty as they are, provide evidence of a reasonable

¹ Through the enthusiasm of Bro. John of Wisbech.

² Crauden was a friend of Queen Philippa, who was a constant visitor at Ely. He died 25 Sept. 1341 and was succeeded by Alan of Walsingham.

³ Described as 'Flos operatorum'. A goldsmith as well as monk. Possibly a member of the family of the hereditary goldsmiths of the priory, one of whom had been prior of the house (Salamon, prior 1291-9, and afterwards Bishop of Norwich) (Chapman, *Sacrist rolls of Ely*, 1. 151).

⁴ The bishop paid for the rebuilding of the three bays east of the central tower.

⁵ The *status prioratus* of 1324-5 shows Prior Crauden grappling with the indebtedness of the house. He paid off a great part of Prior Fresingfield's debt.

⁶ Stewart, *op. cit.*, p. 207.

⁷ Below, p. 49.

⁸ Below, p. 63.

state of efficiency and learning,¹ and the numbers did not fall away seriously till just before the end came.²

The priory was surrendered to the king on 18 November 1539, by the prior and twenty-four monks. The prior became the first dean of the 'King's New College at Ely', some of the monks became canons or lesser officers of the new foundation, and the rest were pensioned.

From various sources it is possible to add something to the information given by these documents about the population of Ely Priory. The monastery was refounded for monks in 970, and an inventory of the possessions of the house in 1093 shows seventy-two monks among the witnesses.³ On the division of the property between the bishopric and the priory in 1109, the monks complained that they were left with resources for only forty brothers.⁴ There seems to have been some truth in this, for Bishop Hugh of Northwold assigned thirty marks to the scanty provision of the kitchen in 1229,⁵ and the chapter ordinances of his time refer to the poverty of the chamberlain's office. So judicious a man as Bishop Hugh of Balsham, who had been sub-prior, appropriated the churches of Wisbech⁶ and Foxton⁷ to the house, to make good the essential service of the refectory (where there was said to be enough for only eight monks' portions⁸) and the almonry. These facts should be taken into account when the injunctions about keeping up the numbers are read. The best source of information about the numbers in the priory is to be found in the account rolls of the chamberlain⁹ and the feretrar; these reveal how many monks received what garments, how many received money in lieu of clothes, and how many received 'gracie'. Between the years 1335 and 1353 the average number of monks in the house was forty-seven, not including the prior. In the fifteenth century, from 1422 to 1429,

¹ The obedientiary rolls and other sources have yielded a list of 36 monks who studied at Cambridge in the fourteenth and fifteenth centuries. But there are many gaps in these records.

² 1515, 35 monks 1534, 33. 1536, 32. 1539 24.

³ *Liber Eliensis*, ed. D. J. Stewart (London, 1848) p. 282 note 3). The ordinances of 1241-54 state that the monks anciently numbered 70. Below, p. 1.

⁴ *Register of Archbishop Robert de Winchelsey* (Cant. and York Soc.) pp. 253-4.

⁵ Liber M, p. 177b.

⁶ Ely, Dean and Chapter muniments, charters no. 33.

⁷ Liber M, p. 195.

⁸ R. Graham, *Trans. R. Hist. Soc.*, 4th series, xii. 54.

⁹ Cf. *Eng. Hist. Rev.*, li (1936) 117.

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the average number was forty-five. In 1536 there were thirty-two, but at the surrender, three years later, there were only twenty-four.

The prior had an extensive household of his own, which was sometimes burdensome;¹ the greater obedientiaries too had their own establishments, notably the sacrist and the almoner. But it is not easy to determine how many servants each obedientiary employed, partly because their number varied with the changes of organization over a long period of years, and partly because one cannot always be sure that, when a servant has been paid a 'stipend', it meant that he was regularly employed. A study of the account rolls, however, leads me to believe that the following list, though it may not be accurate for every year, is a fair estimate of the number of domestic servants employed.

Prior	21
Almoner	7
Hosteller (after 1402 only 2).	6
Sacrist—In the Church	3
In the Office	6
In the Hospice	6
	15
Cellarer	4
Chamberlain	1
Precentor	2
Treasurer (seems to have worked in an office in the prior's hospice, and had no servants of his own).	
Infirmerer	3
	<u>59</u>

Besides these, who were directly employed in domestic service, there was the staff of workmen kept by the sacrist, the chamberlain and the cellarer, about eight in all; there was a shifting population of lawyers and clerks, which increased in the fifteenth century, as business tended to become more complicated and specialized; there were chaplains in the prior's lodging, in the almonry and in the hostelry²; school-boys in the almonry³; cantors who were

¹ Below, p. 25.

² The four chaplains of the Chantry-on-the-Green did not actually live in the priory, though they celebrated in the cathedral.

³ The almoner's roll for 1328-9 shows 23 boys and 2 masters, but in later years their numbers were much reduced.

attached to the Lady Chapel, and boys to sing there. Altogether we shall not be far wrong if we add another thirty to the domestic servants, and estimate the whole population, monks and laymen and clerks at about 150 persons.

The income to support this population is a matter of importance. Ely Priory was never very rich in the later Middle Ages. It had nothing like the income of Glastonbury, with more than £3,000,¹ and it was not quite so well off as Worcester (£1,296¹) and Gloucester (£1,419¹). Before the distribution of the revenues between the monastery and the bishopric, it must have been very wealthy.² In 1275 the monks assessed themselves at £1,000 for taxation,³ and they paid tenths for the Holy Land on £800⁴ (i.e. 120 marks a year). In the taxation of Pope Nicholas IV (1291) their temporalities were assessed at £635, and their spiritualities, as far as can be calculated, at £351: a total of £986. But Dr. Graham has taught us to regard the figures of this taxation as being far below a *verus valor*,⁵ and I have therefore attempted an average of the obedienciaries' incomes from their account rolls, spread over the years for which they occur in the fourteenth and fifteenth centuries. It works out as follows:

Treasurer	.	.	.	.	.	.	about	£600
Sacrist	.	.	.	.	.	.	"	£200
Almoner	.	.	.	.	.	.	"	£100
Chamberlain	}	excluding what they					.	£35
Cellarer		received from the					.	£50
Prior's Seneschal		treasurer					.	£90
Hosteller	.	.	.	.	.	.	"	£25
Precentor	.	.	.	.	.	.	"	£20
Custos Capelle	.	.	.	.	.	.	"	£24
Feretrar	.	.	.	.	.	.	"	£24
Infirmarer (only one roll).	.	.	.	.	.	.	"	£25
Pittancer	.	.	.	.	.	.	"	£5
Total								<u>£1,198</u>

¹ A. Savine, *English monasteries on the eve of the Dissolution* (Oxford, 1909). These are the net figures given on pp. 270 sqq.

² *Register of Archbishop Winchelsey*, p. 253.

³ Charters D and C, no. 109.

⁴ Charters D and C (Receipts for 10ths), 1275-80, no. 110.

⁵ R. Graham, *English Ecclesiastical Studies* (London, 1929), pp. 271 sqq.

Thus it would be safe to say that the true gross income of the house amounted to about £1,200 a year. The *Valor Ecclesiasticus* gives the net income as £1,084 6s. 9d.¹

The estates from which this income was derived were divided among the obedientiaries, giving the largest share to the treasurer.² Because of this the management of property at Ely was much more centralized than at some Benedictine houses. At Ely, only the sacrist had a large estate to manage for the benefit of his own office³; the other obedientiaries, though they held a manor or two apiece, relied for the greater part of their incomes on 'la apay',⁴ as it was called, which the treasurer made them from the manors he held for the benefit of the whole convent.

The injunctions here printed show that the system was one in which two of the monks managed the estates, in co-operation with the prior.⁵ By 1304 the management was allotted to one monk, who was to have a secular coadjutor.⁶ The monk estate-agent was called the foreign seneschal.

The seneschals were to administer the manors, and pay all revenues to the 'two elected treasurers'. One result of this system, unfortunate for posterity, was that the seneschals' accounts were never preserved; only the net profits from the manors which they administered appear in the treasurers' rolls. It is thus difficult to know whether the manors were kept in hand or farmed out.⁷

Checking the provisions in the injunctions with the surviving account rolls, it appears that this system, with its two seneschals and two treasurers, persisted down to 1335-6. The first surviving account after that (i.e. for 1389-90) is made by one treasurer only, and so the accounts continue down to the latest (1528-9). But in 1473-4 the single treasurer rendering account is joined by the monk-seneschal, and the rest of the rolls are therefore joint accounts by the treasurer and seneschal. The secular seneschal seems to have existed continuously throughout the period. He was attached to the prior's household, and received his bed and board there, as well as a clerk and a garçon to serve his needs. Other obedientiaries

¹ Savine, *op. cit.*, p. 288.

² He had seven manors in Suffolk, seven in Cambridgeshire, ten in the Isle of Ely, as well as the Liberty of St. Etheldreda, a private franchise in Suffolk.

³ His management of his estate is exemplified in *The Sacrist rolls of Ely*, ed. F. R. Chapman.

⁴ Below, p. 31.

⁵ Below, p. 4.

⁶ Below, p. 24.

⁷ Except where the account of the manor bailiff has been preserved; but these rolls are very defective at Ely.

who had manors contingent to their office administered them through their bailiffs.

The injunctions of 1261, 1300, and 1307 all order that revenues from the manors are to be paid direct to the two treasurers. I do not think that this direction refers to any estates except those which the seneschals administered as deputies of the treasurers. The point of the injunction seems to aim, not so much at a further centralization of income, as at preventing the revenue from falling into the hands of the prior, to be expended at his wish. In 1403, however, Archbishop Thomas Arundel made a definite attempt to collect all estates under one management,¹ and forbade the obedientiaries to leave the convent to look after the property of their office. All estates were to be administered by the treasurer (through the seneschals, of course) and their revenues paid to each obedientiary by him.

This change in financial organization proved too much for the monks. There is no sign that any attempt was made to comply with the injunction, and certainly account rolls belonging to subsequent years show the obedientiaries administering their estates as before.² No doubt, besides the many difficulties which such a change would present to so conservative a mechanism as a Benedictine priory, it was felt to be definitely wrong that property assigned to one obedience should be managed by another, and also dangerous that such an accumulation of funds should be at the mercy of a prior who might be a dilapidator.

Archbishop Arundel attempted in the same injunctions to rationalize the victualling of the priory.³ From time immemorial the monks and their dependants had been fed from no less than six kitchens, viz. the convent kitchen, and those of the prior's hospice, the hostelry, the sacristy, the infirmary, and the almonry. Arundel, who had been Bishop of Ely, 1374-1388, and had visited the house in 1376,⁴ ordered that the revenues of the hosteller and pittanceers should be put into the hands of the cellarer, who, with the available funds for food now centralized in his hands, should provide from one kitchen for the needs of the refectory, the prior's

¹ Below, p. 52.

² E.g. Hosteller's account, 1444-5: 'In expensis computantis et seruientis eiusdem equitancium usque Melreth' et Wycheford' per vices pro Rectoriis superuidendis et denariis recipiendis et aliis necessariis faciendis cum denariis datis parochianis. vj.s.x.d.'

³ Below, p. 54.

⁴ Bishop Thomas Arundel's register, Ely Diocesan Registry, fo. 14v.

hospice, the guests and for the *minuciones* and *recreaciones*.¹ This meant that all departments to the south and east of the church were to be catered for together; only the sacristy and almonry, far away on the northern border of the precinct, were left to take care of themselves. The compotus rolls which survive enable us to see something of the result of this revolutionary plan. The next hosteller's roll which is extant (1434-5), and those which follow it, show that all the expense of feeding the guests had ceased.

Not that the hostelry had ceased to function; far from it, for the roll of 1444-5 accounts for money spent on redecorating the bedrooms, and purchasing crockery and bedclothes. The guests, therefore, were still received, though their refecton was catered for elsewhere. One would have expected, from the injunction, to find their meals accounted for in the rolls of the cellarer, but there is nothing there. Instead, it appears that the seneschal of the prior's hospice took over the balance of the hosteller's account every year, and presumably catered for the guests in the prior's hall. That this was the arrangement finds some support from the complaint of Bishop Gray in 1466, that monks have nowhere in the convent to entertain their relatives who come to visit them.² If it were the practice to send the guests to meals in the prior's hall, cloistered monks of course would not be allowed to accompany them. The economy, therefore, at which the injunction aimed, was carried out, but not quite in the way the archbishop ordered. Yet there was something to be said for the method which the monks chose, for the hostelry and the prior's hospice had been united under the same officer since 1370, as far as we know,³ and it would now be a natural arrangement for the seneschal of the hospice to take over the entertainment of the guests. In this way the provision for all hospitality would be centralized in the prior's hall, for the seneschal already entertained there the *magnates* and those whose social standing was above that of ordinary folk. It must also be pointed out that the archbishop had overlooked the clause in the Rule of St. Benedict which forbids that the guests shall be fed from the same kitchen as the convent.⁴

¹ The Ordinances of 1314 (below, p. 42) provided that the obedientiary in charge of the weekly *minucio* should pay for his brethren's food, and this was re-enacted by Bishop Fordham in 1419 (Lambeth Library MS. 448 fo. 92 (formerly 71)).

² Below, p. 63.

³ There are gaps in the sequence of rolls of both officers.

⁴ *Regula S. Benedicti*, cap. lxx (ed. C. Butler, Freiburg, 1927, p. 99).

The system provided that the management of the estates should be systematically checked and the injunctions mention the Michaelmas audit four times.¹ In the rolls of the treasurer the payment of the auditor is several times recorded,² and in 1396 sixty-five counters were bought for reckoning at the audit. The prior and auditors may be seen at work in the chamberlain's rolls: 'Et (oneratur) de xliiij.li'. iiij.s. ij.d. de superplus' fratris Thome Ramesey nuper Camerarij relaxatis per dominum priorem et omnes auditores.'³

Visitation of the priory was frequent in the thirteenth and fourteenth centuries. Besides the visitations recorded below, Archbishop Boniface probably visited here in 1253,⁴ Archbishop Kilwardby in 1277,⁵ and Archbishop Pecham in 1284.⁶ In the fourteenth century there is a trace of a visitation by Archbishop Winchelsey in 1302,⁷ Archbishop Reynolds visited by his proxies in 1314,⁸ Bishop Hotham announced his visitation in 1317,⁹ Bishop Montacute visited in 1338,¹⁰ and Bishop de Lisle in 1346.¹¹ The Vicar General of Archbishop Witlesey visited *sede vacante* in 1373,¹² and Bishop Arundel in 1376.¹³ In the fifteenth century Bishop Fordham visited in 1411,¹⁴ and the archdeacon of Norfolk, deputed by the Holy See to look at ordinances and constitutions 'called local and not of the essence of their order, but beyond the regular institutes thereof . . . some of which they cannot now conveniently observe', visited in

¹ Below, pp. 21, 28, 30, 38.

² E.g. Treasurer's roll 1423-4. 'In feodo Willelmi Hert' auditoris per annum ij.li.'

³ Chamberlain's roll 1375-6.

⁴ He is known to have visited the diocese in 1253 (*Annales monastici* (Rolls Series), i. 313-14). A papal judgment of 1246 ordered bishops to visit the cathedral church before visiting the diocese, and there is therefore a presumption that the archbishop visited Ely priory in 1253 (*Serl*, III. xx. i).

⁵ *Vetus liber archidiaconi Eliensis* (Cambridge Antiquarian Society's publications, 8vo series, No. xlviii (1917)), p. 19.

⁶ *Trans. R. Hist. Soc.*, 4th series, xii. 54; cf. *Reg. J. Pecham*, i. 46.

⁷ F. R. Chapman, *Sacrist rolls of Ely*, ii. 16: 'archiepiscopo pro visitacione sua pro Wynteworth' 1s.'

⁸ Brit. Mus. Add. MS. 41612, fo. 46v.

⁹ *Ibid.*, fo. 46v.

¹⁰ *Ibid.*, fo. 85v.

¹¹ Register of Bishop Thomas de Lisle (Ely Diocesan Registry) fo. 5.

¹² Register of Archbishop William Witlesey (Lambeth Palace Library) fo. 152v.

¹³ Register of Bishop Thomas Arundel (Ely Diocesan Registry) fos. 19 and 21v.

¹⁴ Liber B (Ely Diocesan Registry) fo. 39.

1413.¹ Bishop Alcock visited in 1488.² On at least three occasions in this century the priory received visitors from the General Chapter of the Order, in 1423,³ 1432,⁴ and 1474.⁵

In the sixteenth century, besides the visitation of the commissary of Archbishop Warham recorded below,⁶ we only know of a visitation by the Chapter of Canterbury in 1500,⁷ and a visitation by Bishop Goodrich in 1534.⁸

Of the five manuscripts which are the sources of the ordinances, statutes, and injunctions printed here, only two, which are registers of the cathedral priory of Ely, need any particular comment. Of the remaining three, two are the metropolitanical registers of Archbishops Arundel and Warham respectively, in the Lambeth Palace Library. The third is the register of Bishop William Gray of Ely, which is kept at Ely in the Bishop's Registry, and, as far as I know it, conforms to the well-defined type of episcopal register that was common in the fifteenth century.

The register of Ely Priory which used to belong to Lord Leconfield, and is now Add. MS. 41612 in the British Museum, was written in the late thirteenth and fourteenth centuries by several hands.⁹ Nothing is known of its migrations and history since it left its original home at Ely, presumably after the Reformation. Neither Dugdale nor Bentham knew of its existence; it does not occur in Tanner's *Notitia*. It was almost unknown until the Historical Manuscripts Commission published a notice of it, with a full calendar of the contents.¹⁰ It contains the interesting ordinances of 1304 and 1314 transcribed here.

The other register from which some of the following transcripts have been made is now Add. MS. 9822 in the British Museum. This manuscript contains documents relating to the see and to the priory, written in an early fifteenth century hand.¹¹ Though patently an Ely book, it has not been easy to decide whether it originally belonged to the bishop or to the prior. Nothing was

¹ *Cal. papal letters*, vi. 394.

² Register of Bishop John Alcock (Ely Diocesan Registry) fo. 25.

³ *Chapters of the English Black Monks*, ed. W. A. Pantin, iii. 240.

⁴ *Ibid.*, iii. 250.

⁵ *Ibid.*, ii. 242.

⁶ Below, p. 65.

⁷ Bentham, *op. cit.*, p. 224.

⁸ Bentham, *op. cit.*, p. 190.

⁹ The marginalia appear to be in the same hand as the text.

¹⁰ Historical MSS. Comm., *Report*, vi. (1877) app., pp. 289 *sqq.*

¹¹ The marginalia appear to be in the same hand as the text.

known of its provenance at the British Museum, except that it was bought in 1835 from Mr. J. Graham, a dealer. Reference, however, to the footnotes of Bentham's *History and antiquities of the conventual and cathedral church of Ely* (Cambridge, 1771) quickly proves that he knew this manuscript as 'MS. Registrum Episcopi Eliensis A'.¹ In his preface² he says that he had used manuscripts marked *A*, *B*, *M*, *P*, and *R*, which belonged to the bishop, and were kept at Ely House, Holborn. Therefore we know where this manuscript had its home in 1771. In 1772 Bishop Keene sold this ancient palace³ of the bishops of Ely, and bought instead Clarendon or Albemarle House, Dover Street, on the site of which he built a new Ely House. These manuscripts must have been moved with the rest of the bishop's goods from Holborn to Dover Street, for in 1891 we are told⁴ that Bishop Lord Alwyne Compton brought back all the manuscripts from Ely House, Dover Street, to a new muniment room in the Alcock Tower of the palace at Ely. But of the manuscripts *A*, *B*, *M*, *P*, *R*, only *M* and *R* had survived to return to Ely; *A*, *B*, and *P* had somehow disappeared. In 1889 *B* came to light in the collection of Mr. Almack of Long Melford, Suffolk, and was later bought by Bishop Lord Alwyne Compton and placed in the Bishop's Registry at Ely, where it now lies. *A* is now identified with the British Museum manuscript Add. 9822, and *P* still awaits discovery. It is not known how these manuscripts were lost; they had escaped the destruction and theft of the episcopal archives which Bishop Matthew Wren, on his return to the see in 1664, so sorrowfully records.⁵ Most likely they were removed from Holborn, and never reached their new home in Dover Street.

Though it is now certain that Add. MS. 9822 was Liber A in the library of the eighteenth century bishops of Ely, this is no proof that it was in origin a book that belonged to the see. Liber M, for instance, one of its companions, turns out on examination to be a fine fourteenth century cartulary of the priory, and did not belong to the bishopric in the Middle Ages. Liber B, on its return,

¹ E.g. p. 147, n. 3, where Bentham refers to statutes made by Bishop Northwold to be found in 'Liber A, pag. (*sic*) 73'. These are the ordinances printed on p. 1 below, from Add. MS. 9822 fo. 57 (formerly 73).

² P. iii.

³ *Supplement to Bentham's history and antiquities of Ely*, by W. Stevenson (Norwich, 1817) p. 82.

⁴ A. Gibbons, *Ely episcopal records* (Lincoln, 1891) p. v.

⁵ Bishop Wren's transcripts (Diocesan Registry, Ely) fo. 360.

was also found to be a book which had its origin in the monastery, though it had become the bishop's property in some unexplained way. It is more difficult to be certain of the origin of *A* than of the other two, because the documents which it contains are such as would be of interest to both bishop and prior. But after a careful examination of the contents I incline to the view that, though the documents concern both diocese and convent, they are usually of first interest to the latter only. It seems to me unlikely that the bishop of Ely in the fifteenth century would think it necessary to have copies made of privileges, appropriations, and charters granted in the thirteenth and fourteenth centuries to his cathedral priory. The monks, on the other hand, having to be always watchful over their rights and possessions, would have the best reasons for copying their title-deeds in the pages of a register, where they could easily be consulted and preserved.

The injunctions of Bishop Hugh of Balsham which are printed below from Add. MS. 9822 also occur in the Bodleian manuscript, Laud misc. 647 fo. 157v. They have been collated with the Bodleian manuscript and the slight variations are noticed in footnotes.

In editing the Ely ordinances, statutes, and injunctions from these manuscripts, I have supplied my own punctuation and use of capitals. I have preserved the distinction of *u* and *v* in the manuscripts, and, where it has been possible to supply a word wanting in the text, it has been placed in square brackets. The division of the text into paragraphs with English headings has needed careful consideration. Some of the documents transcribed have short titles in the margins denoting a change of subject in the text,¹ and where these occur I have, in almost all cases,² begun a new paragraph. But unfortunately the scribes were not consistent, and in places where they failed to note a fresh injunction,³ or where they provided only one marginal title to cover a number of loosely related subjects,⁴ I have made new paragraphs and supplied English titles. Some of the documents have no marginalia⁵ or other indication of divisions in the text,⁶ and, in order

¹ Walpole, the Ordinances of 1304 and 1314, and Orford.

² Orford, cap. 6 (p. 59), is made to cover the marginal titles *De robis dandis* and *De conuivis*.

³ Cf. Walpole caps. 25 and 26, both of which come under the marginal title *De elemosina*.

⁴ Cf. Ordinances of 1304, where caps. 1-9 come under *Antiqua consuetudo*.

⁵ Ordinances of 1241-54, Balsham, Arundel and Comperta of 1515.

⁶ The first word of each of Bishop Gray's injunctions is indicated by capitals.

to bring them into line with the rest, I have divided them into paragraphs as the sense seemed to demand. The marginal titles themselves added nothing to the matter of the text and were probably not in the originals; they have therefore been omitted, and their sense is incorporated in the English headings.

CHAPTER ORDINANCES, 1241-1254¹

Hec sunt prouisa a conuentu Elien' per concensum et voluntatem venerabilis patris Hugonis dei gracia Eliensis episcopi.

[1] *The number of monks to be brought up to seventy.*

In primo prouisum est vt numerus monachorum ad numerum antiquum impleatur, scilicet ad sexaginta et decem.

[2] *The prior is to conduct himself with humility towards the guests.*

Et quod prior cum omni humilitate, propter honorem ecclesie, se habeat erga hospites.

[3] *Two of the brethren are to have charge of all goods of the priory under the prior.*

Item duo fratres prouideantur per priorem et conuentum, qui circumeant per prioratum et custodiant bona prioratus sub priore, et in fine anni respondeant priori et conuentui fideliter, sub pena excommunicacionis maioris, de omnibus receptis et expensis. Et quod omnia prioratum contingencia per consilium prioris agant, et si vterque vel alter eorum male ministrauerit ammoueatur et alius subrogetur.

[4] *The prior is to hold the small rents of the cellarer, who shall receive them through the treasurers.*

Item habeat prior omnes minutos redditus quos celerarius percipere solebat, et soluat per predictos balliuos thesaurariis ad opus celerarii per annum nouem viginti et duas libras,² ad quatuor terminos vsuales, ita quod dicta pecunia ad vnumquemque ter-

¹ Brit. Mus. Add. MS. 9822, fo. 57 (formerly fo. 73). The ordinances were made during the lifetime of Prior Walter, and during the episcopate of Bishop Hugh of Northwold. Prior Walter occurs in 1241 and died 13 May 1259 (Obituarium Eliense. Brit. Mus. Cotton MS, Vespas. A. VI, fo. 133v). Hugh of Northwold was elected 1229 and died in 1254.

² I.e. £182 or 3,640 shillings a year.

minum soluatur, et sic habeat celerarius in die decem solidos ad coquinam.¹

[5] *Other perquisites of the cellarer at Orford and Shippea.*

Item habeat celerarius copiam ad parandum allec in domo prioris apud Orford.² Et habeat celerarius campum et fenum circa campum tantum de Schepeia ad equos molendini; et soluatur quatuor solidos ad pictanciam Sancte Withburge,³ et totum residuum remaneat priori.

[6] *Provisions for the refectory.*

Item prouideantur a priore suppriori honorifice de caseo in conuentu ad magnum prandium. Preterea panis monachi redigatur ad statum prestinum, scilicet ad pondus sexaginta et decem solidorum. Presidens in refectorio duplex habeat de quolibet ferculo. Preterea habeat pictanciarium custodiam terre de Berkyng,⁴ et decimarum de Hadham fideliter de dictis responsurus conuentui.

[7] *Obligations of the prior on certain anniversaries.*

Item prouideat prior quod viginti solidi ad anniuersarium Iohannis medici,⁵ et viginti solidi ad anniuersarium prioris Rogeri,⁶ soluantur. Et prouideat prior capellanum ad Schepiam qui ibi celebret diuina pro terra de Wisebech'. Preterea quoniam redditus camere tenues sunt et exiles, prouideat sibi prior de cappa et sacco, et recipiat tantum decem solidos annuatim de camerario.⁷

[8] *Concerning the vaults under the dormitory, and the chamber of Prior Roger.*

Item omnes vulte sub dormitorio in dispositione conuentus

¹ See Introduction, p. x, for Bishop Hugh of Balsham's augmentation of the cellarer's income.

² Orford in Suffolk. The prior and convent had port rights there, which were part of their liberty of St. Etheldreda (Ely, Dean and Chapter Muniments, charters, A. I. 4). Shippea was a manor near Ely.

³ Sister of St. Etheldreda.

⁴ The land at Berkyng and Wisbech was Bishop Hugh of Northwold's new grant for his anniversary. Liber M (Diocesan Registry, Ely), pp. 180, 181. Hadham tithes had been given in 1220 by Bishop John of Fountains for his anniversary. Liber M, p. 168.

⁵ Possibly the John *medicus* collated to the church of Bergham by the prior and convent c. 1163-9. Liber M, p. 205.

⁶ Prior Roger de Brigham, 1206-29.

⁷ See p. 55, where this customary payment is converted into *gracie*.

remaneant.¹ Et camera Rogeri prioris minutis assignetur.² [fo. 57v] Et de Leueryngton ³ cum facultas se offerat, in priuatos vsus monachorum cedat.

[9] *Provisions about brethren who have to travel.*

Item proficiscentes vniuersi, a celerario die quo recedunt et quo redeunt, secundum antiquam consuetudinem honorifice procurentur.

[10] *The anniversary of the bishop's parents to be observed.*

Item anniuersarium patris et matris venerabilis patris Hugonis prenominati obseruetur.

Et vt hec omnia inuiolabiliter obseruentur, in testimonium huic scripto dictus venerabilis pater et Walterus prior et conuentus Eliensis sigilla sua apposuerunt.

¹ I.e., are not to be in the disposition of the prior.

² Probably on the south side of the infirmary, and identical with 'Seny Hall'. It has now disappeared. T. D. Atkinson, *The architectural history of the Benedictine monastery of St. Etheldreda at Ely* (Cambridge, 1933) p. 115.

³ 120 acres in the parishes of Leverington. The deeds are complete in Liber M, pp. 166, 177, and 158 to 160.

VISITATION INJUNCTIONS OF BISHOP HUGH OF BALSHAM, 1261¹

Anno ab incarnatione domini millesimo ducentesimo sexagesimo primo, pridie kal' Marci. Cum nos Hugo miseratione diuina Eliensis ecclesie² minister humilis officio visitacionis exequendo in capitulo Elien' essemus intenti, et indagatis³ votis⁴ fratrum inter alia corrigenda⁵ inueniremus prioratum facultatibus lapsum, nos una cum priore et senioribus fratribus tocus conuentus super releuacione status prioratus habito tractatu diligenti, de consensu tocus capituli sic duximus ordinandum.

Concerning the two brethren to be chosen to administer the manors of the priory, and concerning its servants and bailiffs.

Quod duo fratres circumspecti et prudentes ad custodiam maneriorum prioratus per conuentum eligantur, et totam pecuniam que de bonis prioratus mobilibus leuari per eos licite poterit, ad manus thesaurariorum per conuentum eligendorum absque subtraccione seu diminucione qualibet deferri facient, qui priori et fratribus ad custodiam bonorum⁶ deputandis expensas moderatas ministrabunt, residuo substance monasterii in vsus ecclesie per conuentum vtilliter conuertendo. Seruientes quoque maneriorum coram conuentu tactis sacrosanctis iurabunt quod de prouentibus maneriorum

¹ Brit. Mus. Add. MS. 9822, fos. 57v-58, collated with another copy in Bodleian Laud misc. MS. 647 fo. 157v, which has the heading *Ordinacio episcopi super statu prioratus*.

Bishop Hugh was formerly sub-prior of the house. Henry III made a strong protest against his election (*Close Rolls* 1256-9, pp. 108-9). Consecrated at Rome 14 Oct. 1257. Died 16 June 1286 at Doddington. He was founder of Peterhouse, Cambridge.

² Brit. Mus. MS. omits *ecclesie*.

³ Brit. Mus. MS. reads *indagati*; the Bodleian reading *indagatis* has been adopted.

⁴ Bodleian MS. inserts *singulorum*.

⁵ Brit. Mus. MS. reads *corrigeno*; the Bodleian reading *corrigena* has been adopted.

⁶ Bodleian MS. inserts *prioratus*.

et balliuarum suarum, salua dumtaxat sustentacione maneriorum, denarios quos levare poterunt honesto et licito modo thesaurariis antedictis et nulli alii fideliter et plenarie transmittent. Seruientes quoque et balliui per prioratum consilio prioris requisito de expresso conuentus assensu per ipsos custodes ponantur et amoueantur.

Excommunication of those who shall contravene these injunctions.

Et ut ista ordinacio rata permaneant et inconcussa, nos ad rogatum conuentus de expresso prioris assensu, in omnes qui istam ordinacionem infregerint aut ei verbo vel facto in aliquo contraire preumpserint, sentenciam excommunicacionis auctoritate pontificali in pleno capitulo tulimus in scriptis sub hac forma: In nomine patris et filii et spiritus sancti.¹ Nos Hugo miseracione divina Eliensis ecclesie humilis minister excommunicamus et ² [fo. 58r] anathematizamus omnes illos qui contra hanc nostram ordinacionem ausu temerario quoquo modo venire presumpserint seu ³ eam infregerint, vel eam infringi seu infirmari procurauerint, quod si prior aut quisquam alius hoc attemptauerit, non solum excommunicatus ab omnibus habeatur, verum eciam ipso facto dignitatis sue honore priuetur. In cuius rei testimonium nos sigillum nostrum vna cum sigillo prioris et capituli Eliensis huic scripto fecimus apponi.

Act' in capitulo Eliensi anno et die prenominatis.⁴

¹ Bodleian MS. inserts *Amen*.

³ Bodleian MS. reads *vel*.

² Bodleian MS. omits *et*.

⁴ Bodleian MS. reads *prenotatis*.

STATUTES OF BISHOP RALPH OF WALPOLE, 1300 ¹

The bishop has made selections from earlier legislation applicable to the needs of the house at the present time.

Radulphus permissione diuina Eliensis episcopus dilectis in Christo filiis priori et conuentui Eliensis monasterii salutem gratiam et benedictionem. Cum nuper ex officii nostri debito visitaremus monasterium vestrum antedictum, volentes certis de causis inter cetera plenius cerciorari quibus statutis ² ordinationibus et mandatis canonicis regule beati Benedicti conuenientibus hactenus ad religiose viuendum et deo deuote famulandum essetis informati, diligenter inspeximus quedam statuta canonica pro toto ordine vestro a sanctis patribus salubriter adinuenta et preter hec a nonnullis pro reformatione status vestri a diuersis archiepiscopis Cantuariensibus et episcopis Eliensibus predecessoribus nostris specialiter compilata; que omnia quociens opus esset preter articulos necessarios pro casibus emergentibus ad memoriam reducere tediosum et difficile esset per singula recitare. Quo circa nos ex hiis omnibus articulos utiles et necessarios elicientes et extrahentes ipsos cum quibusdam adieccionibus, omissis superfluis eciam aliquibus abreuuiatis, et aliquibus propter varietatem rerum et temporum correctis seu mutatis, ut nobis president' [*sic*] officium sibi concessum pro loco et tempore facilius et commodius valeant adimplere, cui-libetque vestrum apercius innotescat quibus est incistendum et a quibus est abstinendum, in unam compilationem redigi fecimus sub forma infrascripta.

[1] *Concerning the diuine office.*

In dei nomine Amen. Cum diuinum officium ceteris curis et

¹ Brit. Mus. Add. MS. 9822 fos. 49 *sqq.* (formerly fos. 65 *sqq.*). Ralph of Walpole was formerly archdeacon of Ely and then bishop of Norwich. He was translated by the pope to Ely after a disputed election 15 July 1299. Died 20 March 1302.

² The words 'statutes', 'injunctions', 'ordinances' are interchangeable in this connection. Cf. G. G. Coulton, 'The interpretation of visitation documents', *Eng. Hist. Rev.*, xxix (1914) 15 *sqq.*

solicitudinibus precipue inter religiosos merito sit preferendum, statuimus precipimus et ordinamus quod omnes fratres infra cepta monasterii constituti, mox audita campana, omnibus aliis pretermismissis, ad ecclesiam cum debita maturitate festinent, et cum dei timore et reuerencia ibidem diuinis insistant, in principio medio et fine horarum,¹ puro corde et sincera deuocione, absque omni garulacione seu confabulacione illicita, sacrificium deo laudis humiliter offerentes, et absque nimia festinacione seu precipitacione psallentes sub forma regulari; nullusque cuiusque conditionis vel status se absentare presumat, aut occasionem querat absentandi se quacumque hora diuino cultui in ecclesia vel choro deputata, absque causa racionabili et legitima ab antiquo inter fratres ex honestate seu necessitate aut evidenti vtilitate monasterii hactenus vsitata et approbata.

[2] *Books and a light are to be provided in choir for the night office.*

Sint in choro de nocte libri et lumen² propter juniores minus instructos et seniores qui forctan officium nocturnum in recenti³ memoria iam non habent, ut consueuerunt, prout arbitrio presidentium videbitur expedire.

[3] *Brethren in priest's orders are to celebrate mass at least once in three days.*

Item omnes et singuli in sacerdotio constituti*ad missarum celebrationem quantum in eis est [fo. 49v] se habilitent, missas celebrent prout eis incumbit, nisi legitime fuerint impediti. Et si qui ultra tres dies⁴ continuos absque evidenti necessitate vel saltem causa probabili, que non latet alios, se abstinuerint penis subiaceant infrascriptis.

[4] *High mass is to be celebrated by brethren appointed by the custom of the house. Mass for Our Lady, anniversaries, and mass for the departed are to be faithfully performed.*

Officium misse maioris fiat de cetero prout honestius fieri con-

¹ Cf. *Reg. S. Benedicti*, cap. 43, Statutes of General Chapter 1249, ch 35a (*Chapters of the English Black Monks*, ed. W. A. Pantin, i. 43); Statutes of Pope Gregory IX (Matt. Paris, *Chron. maiora* (Rolls Series) vi. 235); and see p. 52 below.

² Statutes of General Chapter 1343 allowed candles at the night-office. Pantin, *op. cit.*, ii. 35.

³ MS. *rectati*.

⁴ Statutes of General Chapter 1277 decree four days. Pantin, *op. cit.*, i. 70-1.

suevit, deputatis ad hoc personis ex approbata consuetudine ecclesie deputandis, cui nullus resistat, nisi legitime fuerit prepe-
ditus. Missa gloriose virginis cum debita devotione et multitudine
laudabili cotidie celebretur. Aniversaria et missa pro defunctis
debita cum omni diligencia fideliter persoluantur, que per conuen-
tum certis ex causis sunt promissa vel scripto roborata.

[5] *Concerning confession.*

Et ut hec coram deo sint magis acceptanda, fratres frequenter
et pure omnes et singuli nullatenus omitant confiteri, ad quorum
confessiones solerter audiendas assignentur per priorem sex¹ fratres
de conventu providi et discreti, qui de cotidianis excessibus et
delictis confessiones audiant singulorum, penitencias salutare eis
iniungant, absolutiones impendant, exceptis maioribus delictis, de
quibus superioribus prelati seu presidentibus eorundem in licitis et
honestis deuote obediant pariter et intendant, correctiones pro facto
vel gestu temerario seu inordinato benigne exaudiant, correctiones
canonicas pro commissis humiliter suscipiant, penitencias eis iniunctas
salubriter perficiant, nisi forte prelatus ex causa dispensatiue
graciam super hoc aliter fecerit specialem. Nullus omnino delictum
suum callida maginatione studeat palleare, aut seipsum aut
alium quemcumque delinquentem erecta cervice contra prelatum
suum in delictis presumat defendere, seu superiori corripere vel
corrigere volenti in forma debita importune resistere, ut sic canonica
correctionem per ipsius improbitatem valeat evitare; sed si
inmunem a culpa se noverit curialiter cum omni paciencia et
humilitate se excuset. Prelatus vero cuius interest, qualitate et
quantitate delictorum ac meritis et demeritis personarum ceterisque
circumstanciis prudenter pensatis, faciat quod corrigentis est et
emendantis mansuetudinem quandoque temporans cum rigore
prout discreto iudici visum fuerit expedire.

[6] *A denunciation of 'proprietas'. No monk is to receive money
on loan, or to have any locked receptacle.*

Item quia proprietas in monachis deo et sacris canonibus est
detestabilis in tantum quod monachus proprietarius ab altaris
ministerio sit ammovendus in vita, et in morte carere debet chris-
tiana sepultura; nullus prorsus de bonis ecclesie vel aliunde
adquisitis seu provenientibus quicquam tanquam suum proprium
sibi retineat seu habeat quoquomodo in custodia propria seu

¹ Four were ordered by the General Chapter 1277. Pantin, *op. cit.*, i. 77.

[fo. 50r] aliena, nisi pro officio sibi comisso, vel alia causa probabili aut necessaria, vel fecerit de licencia sui prioris expressa ; nec eciam in deposito pecuniam recipiant alienam, vel ex causa mutui,¹ nisi per priorem licenciatus, quoniam sub huiusmodi colore solent aliquando proprietarii suum facinus obumbrare. Archam eciam vel lectrinam cum clave nullus habere presumat, nisi sub modo predicto ; et quociens prior pecierit clavis ei tradatur,² aliter excommunicatus eo ipso proprietarius censeatur.

[7] *Clothes-money is forbidden, and old garments are to be given up to the almoner.*

Et ne proprietatis illicite prebeatur latens occasio quoddam salubre statutum invenimus, quod diligenter observandum presentibus inseri fecimus, videlicet vt ³ cum quispiam monachorum vestibus, calciamentis, vel aliis vite necessariis indiguerit, is cui super hiis ministrandi officium ingruit pecuniam seu denarium non tradat pro re huiusmodi taliter indigenti, sed res ipsas prout necessitas exegerit subministret. Si autem is qui preest huiusmodi officio ⁴ contrafacere presumpserit, officio in quo sic deliquit et prestitit materiam delinquendi sit priuatus,³ nichilominus alias superioris arbitrio puniendus. Monachi vero singuli, cum traduntur eis noua indumenta vel calciamenta, vetera illi qui huiusmodi officio preest confestim restituant, secundum ordinationem prioris pauperibus eroganda, nec noua recipiat qui de veteribus ordinare intendit.

[8] *'Gracie', or pocket-money, are to be used for necessities according to the prior's orders.*

Largicionibus vero per obedienciariorum claustralibus collatis, quas quidem gracias vocant claustrales, pro suis necessitatibus de licencia et ordinatione prioris ita utantur quod inde clam vel palam nullatenus contrahant maculam proprietatis ; de huiusmodi proprietariis prior bis in anno diligenter inquirat, et quos tales invenerit puniat per canonicas sanctiones et regulariter instituta, alioquin ipso facto a suis administrationibus sit suspensus, donec premissa diligenter fuerit executus.

¹ MS. *mutui*.

² Cf. Statutes of Pope Gregory IX, *op. cit.*, p. 241.

³⁻³ Taken verbatim from the Constitutions of Ottobono, cap. 41 (Wilkins, *Concilia*, London, 1737, ii. 16).

⁴ MS. *officium*.

[9] *Travelling clothes and harness to be returned to the chamberlain immediately after a journey; only obedientiaries may keep such clothes by them.*

Quicumque monachorum habent capas clausas, cellas, frena, calcaria, vel huiusmodi harnasia eis vtilia cum de licencia monasterium exierint, reversi statim ea restituant camerario, exceptis officiariis, qui pro suis officiis et negociis domum¹ exeunt et redeunt, secundum exigenciam officiorum suorum; nisi prior, vel gerens vices ipsius, ex causis probabilibus super retencione cape vel harnessii necessarij cum ipsis duxerit dispensandum. Restituta vero camerario, acomodentur ceteris claustralibus de licencia exeuntibus, et ab eisdem redeuntibus simili modo recipiantur.

[10] *Extravagance in dress forbidden.*

Ad hec siquis monachus cuiuscumque preeminencie aut status extiterit² nimis curioso seu inordinato apparatu vti presumat, videlicet [fo. 50v] zonis aut bursis de serico seu scutatis, cultellis, sigillis, aut huiusmodi iocalibus nimis preciosis, frenis, cellis, calcaribus vel hiis similibus auri vel argenti, aut alias superfluum ornatum habentibus, ocreis rostratis, vestibus buratis aut varii coloris vel alias ordinis sancti Benedicti disconuenientibus, aut calciamentis indecentibus quorum usus secundum canonicas sanctiones et regulam beati Benedicti penitus est interdictus, statim liberentur priori eisdem nullatenus restituenda, sed ipsius arbitrio in vtilitatem monasterii libere conuertenda. Item fiat siquis habeat apparatus pro lecto vel circa lectum nimis curiosum.

[11] *No claustral brother to have a seal, or to receive private letters, or send them.*

Nullus claustralium habeat sigillum neque literas privatas recipere seu mittere presumat sine licencia sui superioris sed solum officiales quorum officium hoc requiret; reluctantes vero regulari subiaceant discipline, si culpe qualitas exposcat acrius puniendi.

[12] *Brethren are to live in chastity according to the Rule. Occasions of conversation with women are to be avoided.*

Item secundum regulam beati Benedicti continenter et caste monachi vivere studeant universi; cum omni diligencia precauentes ab illicitis consorciis, colloquiis, seu confabulationibus mulierum, ex

¹ MS. dom (-us erased).

² MS. exigit.

quibus proveniunt temptationes, peruerse cogitationes, et ymaginationes inhoneste et, quod deterius est, ex hiis quandoque praua opera deo et hominibus detestabilia sunt subsecuta [et] scandala suborta, nedum contra delinquentes in premissis, sed contra ceteros de collegio, qui forsitan ad huiusmodi illicita numquam fuerant assueti, nec contaminata vestigia ipsorum delinquentium nullatenus sunt secuti.

[13] *Women are to be excluded from cloister, refectory, dormitory, infirmary, and especially choir, saving special exceptions.*

Et idcirco vt prorsus tollatur occasio delinquendi, custodia claustrii, rectorii et dormitorii certis comittatur personis ita quod nulla mulier intrare permittatur loca predicta nec infirmitorium, neque chorum precipue quando cantatur ibidem diuinum officium, nisi forte tempore consecrationis et indulgenciarum et in festis principalibus ecclesie ac processionibus solempnibus seu exequiis mortuorum, aliquas mulieres per claustrum vel chorum transire contigerit; exceptis nobilibus,¹ quibus aliquociens non posset introitus ex causa honesta comode denegari. Nec mulieres in aliquo loco infra monasterium ad monachorum² seruium presencialiter admittantur, vnde sinistra suspicio vel occasio mali possit suboriri. Sed si forte pro ornamentis ecclesie reficiendis indigeat monasterium earum ministerio, provideatur quod ydoneo loco longe a conversacione monachorum, sub tuta custodia secularium de quibus confidunt, reficienda seu reparanda, si masculi in talibus comparati³ ad hec haberi non possint, mulieribus comittantur. Si quis vero monachorum in ecclesia vel alibi cum muliere quacumque solus absque testimonio [fo. 51r] laudabili inveniatur confabulari, presertim si ad hoc fuerit assuetus, per presidentes ita castigetur vt ipsius exemplo ceteri terreantur, vt quos dei timor non reuocat, temporalis saltem pena cohibeat a peccato. Prior vero et supprior et ceteri ad quos huiusmodi cura spectare dinoscitur, si premissa exequi non curauerint, graui subiaceant vlcioni.

[14] *Idle gossip is forbidden, and due silence is to be observed. Discussions in unsuitable places are prohibited.*

Item cum vana verborum scurilitas et inordinata loquacitas nedum proferentem et precipue religiosum coinquinant,⁴ sed plerumque diuinam contemplacionem dampnabiliter impediunt et

¹ Cf. Statutes of Pope Gregory IX, ch. 18, *op. cit.*

² MS. *monochorum*.

³ MS. *comparti*.

⁴ MS. *conuinquant*.

contemplantes perturbant, silencium, locis et temporibus opportunis secundum regulam, qua non solum siletur a noxiis verum etiam pro loco et tempore a sermonibus universis, ab omnibus et singulis districcius observari precipimus quod nullus locis seu temporibus interdictis, sine licencia sui superioris, loqui presumat, neque claustrum exire ad inquirendum rumores seu ad confabulandum cum quocumque more seculari; sed funto officio in ecclesia seu choro, claustrum teneant omnes, ibidem scribendo, legendo, meditando, divinum officium repetendo; hiis exceptis quos plerumque exire oportebit propter officia sibi commissa ministranda. Parliamenta claustri maxime que consueverunt haberi ad ostium episcopi, ad ostium iuxta refectorium, et ad ostium refectorii, et locis aliis ad hoc indiscrete electis, de cetero omnino dimittantur, propter inconuenientia que sepe concomitantur. Cessent etiam amodo ad ostium vestiarii,¹ quia ex hiis frequenter accidit deuocionem fratrum nequiter impediri.

[15] *Those who persist in breaking silence are to be punished. Those who have proper matters to discuss may meet in the common parlour.*

Si qui vero contra statuta huiusmodi venire fuerint assueti et moniti seu correpti per presidentes ab huiusmodi temeritate noluerint desistere, neque silencium regulare debitis locis et temporibus obseruare,² diebus subsequentibus vtantur tantum pane et potagio vel pane et aqua, prout arbitrio presidentis qualitate delicti pensata videbitur expedire, quovsque a talibus illicitis et inhonestis humiliter voluerint abstinere. Qui vero de licitis et honestis adinuicem sunt tractaturi in comuni locutorio³ conueniant, et ita mature et honeste ibidem se habeant, ne sub pretextu liciti ad illicita diuertant.

[16] *Those who wish to go outside the cloister for recreation may obtain special leave. Conversations with suspect women, which have taken place in the church and elsewhere, must cease.*

Nullus causa lasciuendi⁴ claustrum exeat, aut in curia⁵ vel

¹ The vestry seems to have been in the west aisle of the south transept. This would be just outside the monks' choir.

² MS. *obseruari*.

³ The 'locutorium' probably stood south of the chapter house, in the east walk of the cloister, now destroyed.

⁴ MS. *lasciuandi*.

⁵ The great outer court to the south of the monastery, entered through the Ely Porta.

gardino seu alibi vagari presumat. Sed siquis causa recreacionis spaciari indigeat, de licencia speciali presidentis, sum decenti comitiua, [fo. 51v] locis et temporibus oportunis hoc faciat modo competenti, hiis exceptis quos ratione officii ad loca exteriora quampluries oportet declinare. Et quia a nonnullis intelleximus quod in corpore maioris ecclesie, sub columnis et alibi, in elimosinaria ad portam monachorum,¹ coram magno altari, coram altari sancte Marie,² inter feretra sanctarum virginum,³ coram cruce qui dicitur Ad Fontem,⁴ consueverunt aliqui monachi claustrales et alii ad scandalum ipsorum et ecclesie, cum mulieribus nimis suspecte confabulari, huiusmodi loca omnibus et singulis quo ad talia illicita penitus interdiximus; districcius iniungentes omnibus et singulis in virtute obediencie, vt locis supradictis aut aliis amodo euitent colloquia mulierum prout superius est expressum.

[17] *Injunctions against unsuitable conversations with seculars, against all scurrilous talk, blasphemy and swearing.*

A colloquiis eciam [et] confabulacionibus cum ceteris secularibus prorsus absteineant, et maxime post horam vesperrarum, nisi ex causa honesta hoc fecerint, de superioris licencia vel in ipsius comitiua; hiis exceptis quibus ex officio eis iniuncto incumbit loqui cum peregrinis, hospitibus, aut aliis extraneis, seu notis et amicis. Ceroferarii vero, qui ministrant ad maius altare statim post ewangelium usque ad incepcionem oracionis dominice, intrent chorum et tunc redeant ad officium prestinum nec discurrant inuicem vel cum aliis, illicite trifando [et] confabulando. Infirmitorii ostium et refectorium a nimia conuersatione secularium, et precipue ribaldorum arcus custodiantur de cetero per custodes officiorum eorundem, ne peramplius impediatur quies monachorum. Et quia scurilitas et verba ociosa risum mouentia in locis presertim claustralibus secundum Regulam sunt detestabilia, verba enim scurilia hoc est irrationabilia et maturitatis disciplinam dissoluentia, que ceteris sunt leuia, monachis ex regula constat esse detestabilia; ⁵ idcirco ab huiusmodi verbis transitoriis illicitis et inhonestis studeat unusquisque se abstinere pro posse. Sessiones priuate ad potandum

¹ MS. *monochorum*. The almonry courtyard and gate, which stood east of the almonry. It is now destroyed.

² In the south aisle of the presbytery.

³ SS. Etheldreda, Withburga and Sexburga.

⁴ Probably an altar in the south aisle of the nave next the door leading into the cloister (cf. Chapman, *Sacrist rolls of Ely*, i. 118).

⁵ Cf. Reg. S. *Benedicti*, cap. vi.

vel garriandum omni loco et omni tempore omittantur. Et insuper, extra necessitatis articulum, nullus de facili iurare presumat, cum enim non assumere nomen dei invanum, dominicum sit preceptum, non solum false iurantes isti derogant mandato, verum etiam qui nomen sanctum in iuramentis non necessariis servare faciunt vanitati, iniuriuntur dominice magestati. Vt autem hec inhonestas a vobis abscidatur in futurum, quilibet audiens fratrem non ex necessitate iurantem in huiusmodi expiationem reducat [fo. 52r] ei ad memoriam salutacionem virginis gloriose, et si forte monitus et correptus ab huiusmodi temeritate desistere neclexerit, regulari subiaceat discipline, quia scriptum est 'Vir multum iurans implebitur iniquitate et non discedet a domo sua plaga.' ¹

[18] *The full complement of seventy monks is to be maintained, and no suitable applicant is to be rejected.*

Et quia divinus cultus tanto magis augmentatur quanto plures ministri ydonei et deuoti in domo domini laudabiliter sunt constituti, non est dubium religiosos graviter delinquere qui augmentationem fratrum precipue vsque ad statutum numerum prauis machinationibus et odiosis obieccionibus nituntur impedire. Nos igitur, statuta sanctorum patrum predecessorum nostrorum vt antiquitus numerus monachorum videlicet septuagenarius impleretur, obseruari volentes, ordinamus et in virtute obediencie firmiter iniungendo precipimus quod quocienscumque et quando-cumque aliquis scolaris seu clericus, spiritus sancti gracia illuminatus, ad monasterium vestrum accesserit, habitum vestrum et monachatum ² humiliter petiturus, si inueniatur probabiliter ³ litteratus et secundum Regulam alias ydoneus, ipsum ⁴ absque more dispendio benigne recipiatis domum et vestram fraternitatem, de quibuscumque partibus Anglie oriundus extiterit, eidem caritatis intuitu in domino concedentes, hec facientes et quantum in vobis est sollicitate fieri procurantes, donec adimpleatur numerus prenotatus quatenus facultates monasterii sufficere poterunt.

[19] *Concerning the examination of applicants.*

Et quia quam durum esset monachatum ut premittitur affectantem omnium et singulorum examinacionem subire et ad uniuscuiusque singularis monachi obieccionem seu reprobacionem aliquociens forte maliciosam repelli ignominiose, volumus quod

¹ Ecclus. xxiii. 12.

³ MS. *probaliter*.

² MS. *monochatum*.

⁴ MS. adds *que*.

eligantur tres vel quatuor de conventu providi et discreti, qui vna cum priore prout videbitur expedire vice omnium monachorum petentes diligenter examinent, et quos ipsi vel maior pars eorumdem inuenerint ydoneos seu reputauerint capitulo representent ab omnibus acceptandos, nisi forte causa racionabilis et legitima arbitrio tocus capituli vel saltem maioris et senioris partis eiusdem euidenter obstiterit, que predictis examinadoribus prius fuerat exposita vel forte ab eisdem minus plene fuerit intellecta. Et ne difficultas quo ad recepcionem talium presidentibus obedienciariis in monasterio pocius ad ambicionem quam ad zelum religionis valeat imputari, videlicet ut redditus et proventus pro ampliori monachorum numero certis officiis deputati non in usus monasterii cum de hoc non appareat [fo. 52v] neque in usus fratrum nunc existentium cum eorum porcio in hoc nullatenus augeatur, sed ipsorum presidencium seu officialium vsus tantum totaliter conuertatur; volumus et ordinamus quod prior, suprior et ceteri maiores de conventu cum omni diligencia sua qua comode¹ possint ad honorem dei et sancte religionis instent cum effectu vt impleatur numerus antedictus in forma prenotata, friuolis allegacionibus et maliciosis obieccionibus nequiter adversancium postpositis et reiectis. Ceteri de conventu sub pena excommunicationis maioris premissos nullatenus maliciose presumant impedire seu differre; ceteris que Regula statuit circa recipiendos et noviter receptos in hac parte diligenter observatis.

[20] *Brethren are to take orders immediately after profession, and are to take their turns in divine service.*

Novicii vero, facta professione, quam statim anno probationis revoluto fieri precipimus quamcito oportunitas se optulerit, statutis temporibus, per proprium episcopum vel alienum, litteris dimissoriis a suo diocesano optentis, ad omnes ordines maiores et minores promoueantur, contraria consuetudine ecclesie vel verius corruptela non obstante. Prouiso quod seniores per hoc in officiis seu ministeriis chori vel altaris contra laudabilem et antiquam consuetudinem ecclesie plus debito nullatenus onerentur, sed iuniores eciam in maioribus ordinibus constituti in numero consueto minora officia eisdem ab antiquo incumbencia humiliter suscipiant et devote perficiant prout a presentore vel eius locum tenente fuerit ordinatum. Ita tamen quod illi qui ad minora officia deputantur, racione ordinis suscepti interim ad maiora officia nimis onerose non

¹ MS. *comede*.

arcentur. Contradictores vero et rebelles regularibus disciplinis coercentur.

[21] *Concerning the eating of meat in the refectory and elsewhere.*

Item quia de refeccione monachorum tam in refectorio et infirmatorio quam alibi intra monasterium vel extra, pro necessitatibus eorum, et precipue quo ad esum carniū, inuenimus multa a diuersis salubriter ordinata; nos eisdem ordinacionibus seu statutis et maxime iuri communi firmiter adherentes precipimus sub pena canonica districtius inhiibentes ne in refectorio carnes vllatenus comedantur, vel alibi in cameris seu locis priuatis, nisi quatenus Regula permittit et necessitas fratrum non ad voluptatem, sed potius ad [re-]creationem aliquociens forte certis de causis fieri exposcit, presertim cum secundum canones, nisi in infirmatorio pro debilitate nature monachis non sit licitum carnes comedere, ¹quamquam abbas vel prior ex indulgentia interdum possit aliquos fratrum, nunc hos, nunc illos, prout necessitas postulauerit [fo. 53r] aduocare, ipsosque sic secum in camera sua melius et plenius exhibere ¹; ita tamen quod singulis diebus ad mensam in refectorio remaneat competens numerus monachorum.

[22] *For the prevention of illegal convivial gatherings, the income assigned for the common table in the refectory is to be restored as soon as possible.*

Et ne fratres propter cibariū indigenciam seu subtractionem in communi refectorio occasionem habeant ad cameras seu alia loca priuata declinandi pro refeccione vberiori, in virtute obediencie et sub pena excommunicacionis precipimus quod redditus et prouentus communi mense ² in refectorio deputati ab antiquo, tam pro cibariis communibus quam pro pitanciis solempnibus vel cotidianis, integraliter absque omni subtractione in huiusmodi usus, quamcito facultas se optulerit, absque omni fraude seu malicia, debito modo conuertantur; fratresque in dicta mensa communi, vt antiquitus fieri consueuit, per celerarium et pitanciarium et per ceteros quorum interest, prout antiquus status monasterii et regula requirunt, cum omni diligencia et debita sufficiencia procurentur. Cetera quoque

¹⁻¹ Verbatim quotation from *Decretals* III. 35. 6 (ed. Paris, 1612, col. 1199).

² Insufficient provision was made for the refectory when the estates were divided between bishop and convent in 1109 (see introduction, p. x, n. 8). Possibly the rents here mentioned are those which were given over to the prior in 1241-54 (see above, p. 1).

loca quo ad conuocaciones, commessaciones, et potaciones superfluas et inordinatas sub pena priori penitus interdiciamus, et precipue quo ad esum carniū, nisi in aula seu camera prioris, prout superius est expressum, nisi forte prior aut supprior ex causa probabili hoc alibi fieri permittat ex gracia speciali.

[23] *Concerning the care of the sick and senile in the infirmary.*

Infirmi vero in infirmitorio, prout eorum status infirmitas et debilitas exposcere dinoscuntur, cum omni humanitate et diligencia in omnibus necessariis, per ministros fideles et maturos, absque omni tumultu et secularium dissoluto accessu communiter procurentur. Et nedum actualiter gravi infirmitate laborantes sed eciam senes et debiles ne ¹ forte in defectu necessarie subuencionis huiusmodi infirmitates incurrant superioris arbitrio recreaciones habeant competentes, temporibus oportunis; fratribus vero ad mortem tendentibus, vel in extremis laborantibus, ceteri qui comode possunt benigne assistant ipsos consolando, et ea que salutis sunt ad memoriam frequencius reduciendo, et cetera faciendo que ex religionis honestate et fraterna caritate regula fieri statuit precipit seu permittit.

[24] *Surplus food and old clothes must only be given away in alms by the almoner or chamberlain.*

Item quia non est defraudanda pauperum elemosina, nullus de cibis qui sibi ministrantur in mensa, vel de reliquiis cibariorum in refectorio, infirmitorio, camera prioris, vel in aula seu camera hospitibus deputata, vel de vestimentis aut calciamentis veteribus receptis novis, elemosinam presumat defraudare, [fo. 53v] sed hec omnia ad manus elemosinarii seu camerarii perveniant, qui eadem fideliter et sine diminutione pauperibus largiatur ²; transgressores vero superioris arbitrio graviter puniantur.

[25] *Brethren are not to be absent from collation or compline.*

Item cessantibus de cetero, vt premittitur, priuatis conuocationibus, potacionibus vespertinis ac nocturnis, nullus a collatione vel a completorio se absentet, nisi legitime fuerit impeditus. Post completorium omnes simul cubant absque tumultu et confabulationibus illicitis, hiis exceptis quos regula reputat excusatos.

¹ MS. *in*.

² Cf. Statutes of Pope Gregory IX, ch. 20, *op. cit.*

[26] *Proper times for divine service and meals are to be kept by the clock which is to be kept carefully in the church.*

Item quia decet in tanto et tam celebri monasterio, precipue in interioribus agendis, observare modum ordinatum, surgat conventus horis congruis nocturnis [et] diurnis per orilogium, quod decens et securum in ecclesia haberi precipimus, et per monachum circumspectum saluo custodiri, pro diuinis officiis adimplendis, quibus expletis, non anticipando tempus, nec nimis prorogando, fratres iuxta laudabilem consuetudinem aliorum religiosorum eiusdem professionis, congruo tempore in refectorio communiter se reficiant, ne pro quorundam paucorum forte abusum voluntarium inordinato ieiunio ceteri pregrauentur.

[27] *Entries to the cloister are to be securely closed, especially at night; and only rarely are brethren to be allowed to pay visits outside.*

Caveant sibi de cetero prior et supprior et ceteri custodes ordinis, vt amodo obuietur periculis, quod exitus et introitus claustris secure et maxime de nocte custodiantur, videlicet ostium episcopi locutorii,¹ ostium versus cameram celerarii,² ostium versus hosteleriam monachorum,³ ostium versus balnearium,⁴ ostium versus cimiterium monachorum,⁵ et ceteri meatus circa claustrum, ita quod sub tutis seruris claudantur horis competentibus, precipue post ignitergium, ne quid mali vel inhonesti per huiusmodi aperturas in scandalum monasterii sub dole valeat perpetrari. Et si quid mali inde contingat, ne dum perpetrantes sed custodes ad talia deputati secundum qualitatem delicti canonice puniantur. Quoddam insuper statutum Gregorianum vtile et honestum hic duximus recitandum in hunc modum: Inhibemus quoque districcius ne libera detur monachis euagandi potestas, neque detur licencia claustralibus visitandi amicos vel revidendi secularia, nisi rarissime ex causa rationabili et honesta, et ad tempus modicum, matura societate eisdem ad custodiam deputata,⁶ ut nullatenus declinent ad loca suspecta, ipsique horas canonicas dicant in via, et de libris provideatur eisdem. Monachus vero qui sine licencia superioris clausuras domus exire [fo. 54r] presumpserit regulari pene subdatur.

¹ Generally thought to be in the north-east corner of the great cloister.

² The cellarer's lodging was south-east of and contiguous to the cloister.

³ The 'black hostelry' projected southward from the infirmary.

⁴ The bath-house is thought to have been south of the dorter.

⁵ The cemetery lay between the presbytery and the infirmary.

⁶ Cf. Statutes of Gregory IX, ch. 20, *op. cit.*, p. 243.

[28] *Monks are to wear uniform and appropriate dress of black cloth, both indoors and out, and are not to be seen in the courtyard without their cowls and regular habit.*

Et quia mentis et corporis [inordinacio] plerumque indicat incomposicionem monachi, in gestu¹ et incessu in monasterio et extra mature et honeste studeant totis viribus se habere. Sintque² communibus indumentis et religiosis induti in claustro et foris existentes, presertim capis de nigro panno vnus secte, et non de burneto, nec incedat infra cepta sine cuculla et habitu regulari. In claustro et ecclesia regulariter vtantur frogis, neque vtantur quoquo modo habitu superfluo et ordini disconvenienti, quemadmodum superius est expressum.

[29] *In chapter the welfare of the house, both spiritual and material, is to be discussed in an orderly way, and secrets are not to be divulged.*

Item convenientibus fratribus in capitulo tractentur ea que spectant ad salutem animarum, nisi forte inueniant aliqua ardua monasterium contingencia, que preponantur ibidem per presidentem, et habita deliberacione cum communitate secundum antiquam consuetudinem, absque omni tumultu faciat ordinet et disponat presidens in huiusmodi negociis quod sibi de consilio sanioris partis capituli viderit expedire, contradiccione seu reclamacione aliorum non obstante. Et qui forte proprie virtuti temere innitentes in huiusmodi tractatibus suis maioribus resistere presumant importune regularibus disciplinis castigentur.³ Prohibemus insuper sub pena excommunicacionis maioris presertim propter ea que hactenus temere ab aliquibus fieri intelleximus ne in presencia secularium personarum recitentur dicta vel facta in capitulo vel alibi secrecius inter fratres habita, ex quibus scandalum valeat suboriri aut dampnum ecclesie casualiter evenire.

[30] *The prior, when not prevented by outside business or infirmity, is to take his part in the life of the cloister.*

Ad hec quedam alia statuta predecessorum nostrorum recitantes adicimus, que inuiolabiliter observari precipimus, videlicet quod prior, cum exterioribus negociis non fuerit occupatus nec infirmitate aut debilitate prepeditus, in claustro cum conuentu regularibus interuallis resideat, lectioni aut meditacionibus salubribus vacaturus,

¹ MS. *gesta*.

² Cf. Statutes of Gregory IX, ch. 12 *op. cit.*, p. 240.

³ MS. *presumat . . . castigetur*.

vt ceteri fratres ipsius exemplo ad consimilia excitentur ; quod si forte prior hiis intendere nequiverit, supprior vices suas supleat, quem si abesse vel impediri contingat, tercius prior claustrum custodie cum omni diligencia assiduus intendat.

[31] *Officers who have become infirm are to resign their offices.*

Item statutum de impotentibus et invaletudinariis, cum ad talem statum peruenerint, quod in officiis suis comode ministrare non possint, redditam rationem, obediencias suas resignent, vel ab eisdem amoueantur, aliis qui officia illa implere possint subrogatis, firmiter precipimus observari.

[32] *Rents are to be applied strictly to the use of the office to which they belong. The obedientiaries must carefully fulfil their duties. The prior must see that all these things are properly observed.*

Item possessiones et redditus ad elemosinariam, hospitalitatem seu infirmitorium vel pitanciam deputati [fo. 54v) seu collecti ab eisdem vsibus nullatenus subtrahantur, neque in alios vsus convertantur, quod custodibus huiusmodi officiorum in virtute obediencie et sub pena excommunicationis quam ipso facto incurrant per presidentem iniungatur. Item sacrista circa fabricam ecclesie et ea que ad officium suum spectant solerter intendat, et omnem diligenciam adhibeat. Precentor torpentes et desides in seruicio diuino excitet, et si opus fuerit in capitulo proclamet. Bona ad hospitalitatem assignata absque diminutione, ut premititur, in vsus hospitum, peregrinorum, et maxime domesticorum fidei expendantur, lecti et lectisternia in domo hospitum secundum quod decet ad opus eorundem habeantur. Celerarius, granatarius, camerarius, et ceteri officiales seu obedienciarii in officiis eisdem commissis ita se habeant quod de bonis suis officiis deputatis nichil omnino in alienos vsus conuertant, sed in illos vsus at quos deputantur fideliter expendant, et de eisdem rationem, cum per presidentes congrue fuerint requisiti, reddant. Prior vero hec omnia diligenter obseruet et ab aliis faciat obseruari, alioquin si super hiis negligens fuerit et remissus, secundum transgressionis sue qualitatem taliter puniatur vt pena illius sit aliis in exemplum. Et si forsan culpis suis exigentibus ipsum ab administratione sua contigerit ammoueri, nulla ei aliquorum reddituum seu vberioris sustentacionis quam debeatur simplici monacho fiat prouisio, sed potius ipsius anime prouideatur, ut salubriter agat penitentiam de commissis.

[33] *Every obedientiary is to have a prudent brother associated with him in his office to assist him.*

Item ordinamus quod quilibet obedienciarius certo officio deputatus habeat vnum fratrem prouidum et circumspectum de consilio et assensu prioris sibi associatum,¹ qui in omnibus dictum officium contingentibus, cum debita diligencia, eidem assistat et facta sua videat. Sciatque in quos vsus fructus et prouentus dicti officii predictus obedienciarius conuertat, vt super hoc, pro loco et tempore, si opus fuerit, laudabile testimonium valeat perhibere.

[34] *Every obedientiary is to swear to administer his office faithfully and to render account to the auditors appointed by the chapter. Any balance is to be put to the uses of the house.*

Item ordinamus quod singuli obedienciarum, presentibus fratribus, vt premititur, in suis officiis associatis presentibusque balliuis eorumdem ad custodiam maneriorum seu aliorum bonorum ad dicta officia pertinencium deputatis, quos coram priore et conventu, cum ad huiusmodi curam seu bonorum custodiani primo fuerint assumpti, iurare volumus tactis sacrosanctis ewangelii de fideliter administrando et fideli compoto reddendo cum fuerint requisiti, coram sex vel septem de maioribus et discrecioribus capituli, ad hoc per priorem et capitulum specialiter deputatis, bis in anno de suis administracionibus fidelem [fo. 55r] et plenariam reddant rationem. Et siquid de bonis antedictis vltra sumptus necessarios vel rationabiles factos pro omnibus oneribus officiorum sustinendis super fuerit, illud de consilio prioris et aliorum electorum ad compotum audiendum in vsus monasterii integre et fideliter conuertatur.²

[35] *The prior and chapter are to elect two treasurers.*

Eligantur insuper per priorem et capitulum duo thesaurarii quibus tota pecunia ecclesie liberetur, per eos vltius prout melius visum fuerit aliis liberanda.

[36] *There are to be no conspiracies in the monastery, and no disobedience to these statutes under pain of excommunication.*

Inhibemus insuper sub pena excommunicacionis maioris ne conspiraciones seu partes de cetero fiant in conventu quoquomodo.

¹ The obedientiary rolls—except some of the treasurer's rolls—invariably give the name of the *socius*. The sacrist seems not to have had a *socius* till 1345-6.

² MS. *conuertantur*.

Si quis vero monachorum, cuiuscumque condicionis vel status extiterit, in premissis seu aliis statutis canonicis aut regularibus obseruacionibus inobediens fuerit seu rebellis subiciatur regularibus disciplinis. Nullus insuper occasione huiusmodi visitacionis nostre vel in ea propositorum a quocumque sub pena inobediencie et excommunicacionis maioris alteri insidias parare presumat, aut verba proferat inordinata seu molestia inferat quoquomodo. Hec autem statuta presentibus inserta una cum adieccionibus nostris ab omnibus precipimus inuolabiliter obseruari, et frequenter in capitulo coram fratribus ad perpetuam rei memoriam distincte et aperte recitari, transgressores vero eorumdem vt premittitur canonice puniri.

Dat' apud Ely xvii kal' Julii, anno domini millesimo ccc^{mo}.

[37] *Directions for the safe custody of the pyx and chrismatory in the cathedral.*

Ad hec quia per fidedignorum relatum accepimus quod per apercionem ostii vestri monasterii de nocte ac eciam per incuriam presbiterorum et secularium clericorum clauces eiusdem monasterii seruancium indiscrete grauia¹ dampna et pericula grauiora retro-actis temporibus vestro conuentui acciderunt, statuimus ordinamus et firmiter obseruari precipimus vt pixis cum corpore Christi et chrismatorium cum oleo infirmorum in capella noua, iuxta vetus campanile² situata, de cetero reponantur et ibidem sub clauium tuta custodia honorifice conseruentur, ut sic tam de die quam de nocte presbiteri seculares qui pro tempore curam gerent de sacramentis huiusmodi ministrandis facilius manus suas apponere ad eadem [possint]³ et omnia facere que incumbunt absque omni periculo quod hactenus vt premittitur occasione premissorum multociens iminebat.

[38] *At least two trustworthy servants of the sacrist's household are to guard the church by day and by night.*

Item statuimus et ordinamus quod ad custodiam ecclesie vestre nocturnis horis simul et diurnis, duo ad minus deputentur ministri circumspecti prouidi et honesti,⁴ qui [fo. 55v] coram conuentu in processionibus modeste incedant et honestatem circumquaque con-

¹ MS. *graua*.

² This must refer to the central tower of the cathedral, built early in the twelfth century. The western tower had been completed at the very end of the same century.

³ Omitted in MS.

⁴ MS. *honeste*.

seruent, qui eciam non per ribaldos sed semper per seipsos suum ministerium adimpleant reuerenter, nisi casualiter contigerit ipsos impediri, vt puta infirmari, vel alias licenciam ad modicum tempus optinuerint a sacrista. Ipsis eciam ministris cum familia eiusdem sacriste iuxta statum¹ eorumdem tam in esculentis quam in poculentis cotidia necessaria ministrentur, et vterque eorum vnā robam cum principalioribus ministris eiusdem sacriste recipiat annuatim. Prior vero, in recompensacionem duorum panum quos singulis diebus huiusmodi ministri antiquitus consueuerunt percipere ab eodem, prefatis ministris pro suis stipendiis persoluat decem solidos annuatim, videlicet cuilibet eorum quinque solidos, quamdiu ministrauerint in vestra ecclesia supradicta.

[39] *A partition is to be erected between the Lady Chapel and the vestry.*

Item ne frequens accessus secularium et maxime mulierum contemplacionem impediāt monachorum, statuimus et ordinamus quod inter altare beate virginis et vestiariū² diuorsorium statim erigatur, per quod imposterum obloquendi malum materia abscidatur, et omnis cesset occasio ex talibus delinquendi. Dat' die quo supra.

¹ MS. *statutum*.

² At this time the Lady Chapel was in the south aisle of the presbytery, and the vestry must have backed on to the monks' choir-stalls in the south aisle. From here it would be possible to see into the old Lady Chapel.

ORDINANCES OF THE PRIOR AND CHAPTER,

1304 ¹

Ordinaciones capituli Elyensis.

Anno domini millesimo ccc^{mo} quarto, id'. Marc', de vnanimi consensu fratris Iohannis de Fresingfeld' ² prioris ecclesie Elyensis et tocius conuentus eiusdem loci, facte sunt per eosdem ordinaciones infrascripte.

[1] *The prior to have as foreign seneschal a monk free from all other duties, and a secular joined with him, to administer the manors of the priory.*

Videlicet quod prior habeat senescallum forinsecum monachum ab omni alio officio absolutum, et vnum secularem sibi adiunctum, qui negocia prioratus prosequantur, et totum prioratum quociens necesse fuerit circueant, et omnia negocia defendant, totamque pecuniam que commode in maneriis dicti prioratus leuari poterit, preter necessariam sustentacionem maneriorum, quam cicius poterint domi thesaur' dictorum prioris et conuentus absque diminucione et manu media deferri faciant; tamen reseruatis commoditatibus maneriorum de Vndeleye ³ et Schepeye ⁴ domino priori pro priuatis necessariis camere sue vtiliter suplendis.

[2] *Concerning the appointment of seneschals, bailiffs and serjeants.*

Et dictus senescallus secularis, vna cum balliuo libertatis et clerico Sutfolch' et seruientibus maneriorum tocius prioratus, coram conuentu de fideliter administrando prestant ad sancta dei ewangelia iuramentum. Qui omnes et singuli, vna cum extrinseco senescallo monacho, de communi consensu prioris et conuentus preficiantur et amoueantur; ita tamen quod paucorum contradictio consensum non impediat aliorum.

¹ Brit. Mus. Add. MS. 41612 fo. 30v (formerly fo. 29v). See Introduction, p. xvii.

² Prior 1303-21.

³ A manor in Lakenheath in Suffolk.

⁴ Probably Shippea Hill, near Mildenhall.

[3] *The prior is to pay heed to the advice of the seneschals concerning the management of the priory. They are to have a sworn clerk for their office, and are to be allowed moderate and reasonable expenses.*

Idemque prior senescallis predictis omnem diligenciam quam poterit adhibeat circa custodiam prioratus, eosque amicabiliter consulat et tractet. Facta etiam et ordinata per ipsos senescallos pro communi utilitate acceptet nec ea quoquo modo revocet. Habeant iidem senescalli ex communi consensu prioris et conuentus clericum iuratum pro necessitatibus officii deputatum et receptaculum ad quod honeste valeant declinare. Necessaria quoque moderata et rationabilia exeundo et redeundo capiant de prioratu.

[4] *The prior is not to use his seals for letters which may compromise the community, nor to grant pensions without its consent.*

Item prior sub neutro sigillo suo mittat litteras communitatem tangentes que communitati quoquo modo cedere poterint in preiudicium. Nec preter consensum ipsius conuentus concedat uel promittat alicui de cetero pensiones. Pensiones tamen prius concessas hiis qui easdem mereri poterint et voluerint sic soluat ne dampnum ecclesia paciatur et amici in inimicos conuertantur.

[5] *The prior is to choose a discreet monk, who is a priest, as his chaplain.*

Assumat etiam sibi prior capellanum monachum prouidum et discretum, a gradu dyaconatus absolutum, qui in agendis suis et consiliis sibi assistat; et etiam, ut alibi vsitatur, sigillum ipsius prioris sub eius priuato sigillo custodiat.

[6] *The prior is to choose a monk to be seneschal of his hospice. His kitchen has been too expensive, and daily account is to be made to the seneschal, granator and marshal.*

Assumat etiam sibi prior per consensum saniorum et seniorum conuentus senescallum monachum hospicii sui, qui plenam administrationem in emptione et venditione custodiaque iocalium vini et speciarum et ceterorum spectancium ad officium senescallatus. Iocalia uero et cetera dona fiant per senescallum forinsecum, si domi sit, uel per intrinsecum, aut capellanum monachum, si neuter predictorum commode possit adesse. Emptiones tamen robarum et vendiciones lanarum et alia precipue venalia, interueniente consilio prioris, saltem per senescallos forinsecos cum senescallo intrinseco si commode poterit fiant, uel per duos eorundem. Et

quia expense coquine prioris grauiores sunt quam solebant esse, quod ex defectu emptorum et cocorum accidere suspicatur, ordinatum est quod senescallus hospicii sui vigilanter empcones intuat; et quod cocus iuratus, panetarius et auenarius coram ipso senescallo, granetario et marscallo domus singulis noctibus fideliter computent de expensis.

[7] *The seneschal of the house is to see that former expenditure is not exceeded.*

Videatque senescallus domus quod expensas priorum precedentium pro posse suo non multum excedat. Defectus vero per senescallum intrinsecum et extrinsecum tam in rebus quam in personis interius et exterius inuentos, nisi per ipsos senescallos emendari poterint, per ipsos priori nuncientur; qui eosdem defectus iuxta posse suum statim faciat emendari; quod si non fecerit, predicti senescalli omnes predictos defectus conuentui protinus denuncient emendandos. Ad quod faciendum ipsi senescalli [fo. 31r] coram conuentu iuramento constringantur.

[8] *Trees and profits of churches are not to be sold without consent of the convent.*

Item bosci et prouentus ecclesiarum preter consensum capituli non vendantur.

[9] *The prior's household has been burdensome; its number is to be limited.*

Et quia familia prioris videtur onerosa, ordinatum est quod habeat tantum duos capellanos seculares et sex armigeros de secta armigerorum preter cocum et eos qui sunt de feodo ad tempus, quorum tres habeant proprios equos, videlicet marscallus et alii duo armigeri pro voluntate prioris. Habeatque tres valectos de officio preter ianitorem et speculatorem, qui omnes et singuli sint bene morigerati et bone fame et sciant honorifice deservire pro statu suo et sint tantum de secta armigerorum seruientes curie regie et maneriorum, nisi pro commodo ecclesie visum fuerit priori et conuentui plures robas exhibere; sitque tota familia domus intendens et obediens prout decet senescallo intrinseco.

[10] *The prior, foreign seneschal and treasurer are to pay the customary allowances to the obedientiaries without delay, or at least within a fortnight.*

Item soluciones singulas obedienciariis singulis ab antiquis

debitis temporibus et precipue celerario et camerario, prior, senescallus forinsecus et thesaurarius soluant indilate sin autem quamcito poterint postea ; ita quod quindenam non excedant, nisi obediencarius cuius interest suo periculo vltierus voluerit tollere.

[11] *The prior or seneschal of the hospice shall receive magnates arriving with fourteen horses or more.*

Item prior vel senescallus hospicii, siue aliquis loco eorumdem in eorum absencia, magnates superuenientes cum quatuordecim equis et vltra recipiat, et necessaria eis competenter exhibeat ; et hac de causa et pro seruientibus propriis superuenientibus senescallus hospicii domi sit, uel alius loco eiusdem potestatem habens ad premissa faciendum. Fenum eciam et herbam et prebendam pro equis omnium hospitum superueniencium senescalli prouideant et competenter eis ¹ liberari faciant.

[12] *The rents of the town are to be collected for the convent by the prior's bailiff.*

Item redditus ville ex antiqua consuetudine ad conuentum pertinentes per ballium prioris colligantur, et per eundem ballium, sine mora et manu media, duobus fratribus per priorem et conuentum assignandis ad vsum eiusdem conuentus integraliter annuatim deferantur.

[13] *The foreign seneschal and the granator are to provide good bread and beer for the house.*

Item ordinatum est quod senescallus forinsecus et granetarius prouideant ad vsum conuentus bonum et purum frumentum et bonum braseum, ita quod omnes monachi tam domi quam extra exeuntes iuxta porcionem ipsos contingentem, bonum panem habeant et ceruisiam. Panisque monachorum hospitum et corrodianorum absque mutacione de eadem pasta sit, et niger panis militaris fiat de frumento ut crescit sine amixtione alterius bladi cuiuscumque. Panem quoque et ceruisiam quociens necesse fuerit granetariis [*sic*] solito frumento meliorem. Quod si post trinam amonicionem non emendauerit et sua culpa huiusmodi defectus contigerit euenire, ab officio amoueatur. Et quoniam propter anni infertilitatem, ista ordinacio quo ad granetarium ad presens non potest commode adimpleri, ordinatum est quod a proximo festo sancti Michaelis futuro inposterum plenarie in omnibus obseruetur.

¹ MS. *ens*.

[14] *Three brethren are to be appointed by the convent every Michaelmas to audit the accounts of the obedientiaries and of their manorial officers.*

Item ordinatum est quod quolibet anno post festum sancti Michaelis assumantur tres fratres de consensu prioris et capituli, coram conuentu primo adiurati, ad audiendum omnium obedientiariorum compotum et seruiencium eorum ac omnium balliuorum et prepositorum tocius prioratus; qui virtute huius ordinacionis habeant potestatem allocandi et disallocandi, prout equitas suadet et ordo exigit racionis. Si quis autem in ipsorum trium vel saltem duorum eorum absencia compotum gratis reddiderit, pro non computato habeatur.

Hec autem omnia ordinata sunt vnanimi consensu et voluntate prioris et tocius capituli Elyens' ad honorem dei et tocius religionis augmentationem inperpetuum duratura. In cuius rei testimonium sigillum prioris vna cum sigillo capituli presentibus sunt appensa.

Dat' in capitulo Elyensi die et anno supradictis.

VISITATION INJUNCTIONS OF BISHOP
ROBERT OF ORFORD, 1307¹

Robertus permissione divina Eliensis episcopus viris religiosus Christo carissimis domino priori et capitulo ecclesie nostre Eliensis salutem gratiam et benediccionem.

Curis sollicitamur continuis vt iuxta credite nobis dispensacionis officium errorum laqueis, morum corrupcionibus, aduersitatum molestiis, prout nobis ex alto permittitur, solerti studio obuimus. Sane visitacionis in ecclesia nostra officium rursus, non sine requisicione plurium, exercentes quedam invenimus tam ab² archiepiscopis et episcopis predecessoribus nostris quam a nobis salubriter edita, non tantum moribus utencium approbata, potius sed neglecta, et in archiuis priuatis inuoluntate reposita; et quasdam nouellas tergiuersaciones intollerabiles super quibus correccionis et reformationis remedia que poterimus intendimus adhibere. Vt igitur reformationis accomode remedium apponamus vbi magis inspicimus periculum imminere :

[1] *The prior and subprior must take care for both the discipline and the well-being of the brethren.*

Statuimus et ordinamus ut prior et supprior circa observacionem regule et ordinis studiose vigilant et intendant prout per regulam ordinis et de consuetudine domus artantur. Provideant eciam quod in choro, refectorio, et claustro sit sufficiens numerus monachorum prout regula ordinis exigit et requirit; nec aliquis se absentet ab officio diuino nocturno tempore vel diurno. Et si aliqui sine iusta causa a priore vel suppriori approbata se abstraxerint, secundum exigenciam regule aspere puniantur. Caveant insuper prior et supprior quod non licencient³ fratres ad vagandum per patriam. Et cum licenciauerint aliquos causa recreacionis habende, hoc non concedant pluribus simul in numero ampliori quam quatuor, ne ex plurali licencia fratrum exterius scandala [fo. 58v] oriantur et

¹ Brit. Mus. Add. MS. 9822 fo. 58 (formerly fo. 74).

² MS. *sub*.

³ MS. *licenciant*.

debitis obsequiis ecclesia interius defraudetur; et quousque ipsi redierint alii non licententur, sed domi morentur pro execucione cultus diuini ad quem tenentur, exceptis obedienciaris, quos officii sui causa aliquociens oportet abesse. Et ne monachi materiam habeant occasione egritudinis euagandi, provideat prior citra festum sancti Michaelis proximum futurum de aliquo discreto medico et experto, qui fratribus infirmis intendat.

[2] *Concerning the oath of the bailiffs, and payments to the treasurers.*

Item statuimus et ordinamus quod omnes et singuli seruientes curam qualemcumque habentes tam maneriorum quam ecclesiarum prioratus, ac eciam obedienciariorum, quorumcumque bonorum ecclesie, antequam de administracione aliqua se intromittant, veniant et iurent in capitulo coram priore et conuentu quod custodient fideliter bona cure sue commissa, ad opus prioris et conuentus, et quod nichil fraudis doli aut alienacionis in dispendium domus in bonis eisdem committent, sed fideliter respondebunt priori et conuentui de omnibus bonis sub cura sua existentibus, et fidele compotum reddent priori et conuentui de bonis eisdem, seipsos onerando et exonerando bona fide absque ingenio vel arte fallendi. Denarii quoque qui leuantur de bonis prioratus et obedienciariorum non ad manus prioris vel alicuius alterius perueniant, sed dumtaxat ad manus thesaurariorum, quos eligi per priorem et conuentum de cetero contigerit. Ipsisque volumus iniungimus et mandamus quod huiusmodi denarii sine manu media liberentur.

[3] *Accounts of obedientiaries and their servants are to be audited by the prior, subprior, and three of the brethren. The prior is to declare the financial position of the house in full chapter.*

Item volumus et ordinamus quod compota obedienciariorum seruicium et prepositorum singulis annis semel in anno statim post festum sancti Michaelis reddantur, coram priore et suppriori, cui tres de discreciorebus mere claustralibus exnunc associati in recepcione compotorum huiusmodi intersint, vna cum priore et suppriori et obedienciaris supradictis, et plene audiant vocemque habeant inter ceteros, sine prioris et supprioris redargucione vel increpacione, racionabiliter calumpniandi et disalocandi prout maior pars auditorum eorundem sentire videtur. Similiter vt omnia in luce pateant nec aliquid veritatis celetur, volumus et ordinamus quod seruientes obedienciariorum, prestito iuramento

super ipso compoto de huiusmodi compoto fideli reddendo, similiter coram priore et [fo. 59r] suppriori et claustralibus supradictis reddant compota sua, sicut seruientes prioris sua compota reddere hactenus est vsitatum, quibus compotis auditis, prior ipse exponat palam et publice atque notificet in plena congregacione fratrum in capitulo conueniendo statum prioratus et obedienciariorum, vt quod omnes tangit ipsos non lateat sui comodi vel incomodi incrementum.

[4] *The prior must not appoint obedientiaries by favouritism.*

Item cum obedienciariorum mutari contingit, iniungimus priori quod ad illas obediencias quarum dispositio¹ ad eum pertinet non proprie voluntatis sed iudicium rationis sequendo ex consilio seniorum discreciores fratres et expertiores ac magis vtilis pro vtilitate domus assumat ordinet et preferat in eisdem, omni fauore postposito, ad solam vtilitatem domus sui intuitum conuertendo.

[5] *The prior shall make those payments called 'la apay' through the treasurers to the obedientiaries, who shall liquidate as quickly as possible the debts of their predecessors on the offices which they hold.*

Statuimus insuper et districte in virtute obediencie mandamus vt prior qui obedienciariorum soluciones pecunie tenetur facere, secundum consuetudinem domus approbatam, per manus thesaurariorum soluat singulis obedienciariorum soluciones quas vocant la apay le celerer, la apay le chamberer, la apay aliorum obedienciariorum, ad quatuor terminos anni, videlicet ad pascha proximum futurum, ad festum sancti Iohannis Baptiste, ad festum sancti Michaelis, ad festum natalis domini, pro equalibus porcionibus; ne conuentus priora incomoda, prout experti sumus, senciat ex defectu solucionis vltra aliquem terminum predictorum protractate et maiora obuenciant infortunia cum detestabili murmure detractorum. Et ne quis obedienciariorum post dimissionem obediencie sue cum aliquo debito oneretur, nec in patria de credito non soluto diffametur, vel successor eius ex hoc gratiam crediti apud vulgus amittat, omnibus et singulis obedienciariorum aliis in suis obedienciis succedentibus in virtute obediencie iniungimus et mandamus vt debita suorum predecessorum obediencias quas tenent dimittencium que in vtilitatem officiorum suorum conuertisse repperint cicius quo poterint creditibus suis soluant vel alias satisfaciant de eisdem.

¹ The appointment of the subprior, sacrist, cellarer and chamberlain belonged to the bishop (P.R.O., C. Inq. misc. file 61(8)), the rest to the prior.

[6] *The prior's household is not to be burdensome, and he is to be pleasant to the brethren when they approach him. He must not waste the goods of the house in entertaining too lavishly.*

Ad hec precipimus in virtute obediencie vt prior non teneat superfluum et onerosam familiam, sed moderatam et honestam quam pro sua discrecione et discreciorem de conventu approbacione secum haberi volumus et teneri, nec sit onerosus nec superfluus¹ in robis annuatim dandis, nec eas det nisi semel in anno, prout eas dare priores predecessores sui retroactis temporibus consueverunt. Ita quoque quod preter robas quas oportet necessario dare certis personis de prioratu et attornatis suis de curia domini regis, quibus carere non potest, dacione robarum liberandarum familie proprie secum in domo manenti, et seruientibus maneriorum, personis necessariis et honestis tantum et non superfluis vel inutilibus sit contentus. Et quociens ad ipsum priorem² fratres ad tractandum cum eo accesserint, ipse benigne et cum debita grauitate audiat, ipsisque sine asperitate verborum affabiliter et discrete respondeat, increpet et consulat, arguet, et faciat ciuili modo quod ad suum pertinet officium, ita quod reprehensione non sit dignus. Seque abstineat a conuiuuiis immoderatis, et cum ea facere debeat ea faciat moderate quatenus domus suppetunt facultates, ne brevis hora victum longi temporis, vnde conuentus maceretur, consumat; sed bona domus conseruet, et discrete expendat ad honorem dei et vtilitatem ecclesie sue tocusque conuentus, pro cuius sustentacione olim donata fuere.

[7] *Brethren may not enter the chapters of seculars or other places to plead in law cases, except by special permission.*

Preterea omnibus et singulis districcius inhihemus ne quis fratrum se intromittat in capitulis secularium vel alibi de causis vel querelis inter partes iudicialiter agendis, nisi de licencia prioris vel supprioris speciali, qui licenciam huiusmodi nemini concedat nisi ex pia causa vel vtilitate ecclesie sue, ita tamen quod propter hoc honestati ordinis non detrahatur.

[8] *Conversation with women is forbidden.*

Volumus eciam et mandamus quod vnusquisque fratrum a colloquiis suspectarum mulierum se prorsus abstineat, ipsarumque

¹ MS. *superfluis*.

² The prior was John of Fresingfield.

fugiat familiaritatem in locis puplicis et priuatis, nec quispiam eorum in monasteriis et locis sanctimonialium pernoctare, uel ad eas frequentem accessum sine manifesta et rationabili causa habere, vel prolixis confabulacionibus earum intendere, aut in eis morari quoquo modo presumat; cum ex talibus actibus illicitis de^ofacili statim mala presumpcio possit oriri. Si vero quisquam fratrum assuetus fuerit contrarium facere [fo. 6or] in premissis, decernimus ipsum ter fore monendum, vt se ab eisdem illicitis deinceps subtrahat, et nisi fecerit ipsum maiori vindicte secundum regulam ordinis precipimus subiacere.

[9] *Other occupation is never to interfere with the precentor's duty in choir.*

Item vt vnusquisque in officio cui astringitur vacet, nec se fedat exterioribus ocupacionibus in detrimentum cultus diuini, precipimus in virtute obediencie vt prior curet de officio presentorie, ita quod presentor officio suo tantum vacet diurno et nocturno, vt tenetur, in choro, nullo modo alteri ocupacioni exterius sub quouis colore intendat, quodque pro tempore preterito reddat compotum infra mensem. Et de cetero faciat scribi libros illi officio necessarios, nec in alios vsus quam officii sui bona presentorie expendere quoquo modo presumat.

[10] *No secular person may enter the infirmary or dormitory.*

Contingit quoque aliquociens quod¹ per frequentem accessum secularium ad infirmitorium, per monachos et eorum seruietes vagos et indociles inductorum, qui aliqua secreta ordinis vel que ordinis honestati non congruunt audire, vnde postmodum in vulgo famosi prodierunt sermones in scandalum ordinis et personarum, que nec in culpa nec in causa fuerunt, huiusmodi² siquidem leuitati pro scandalo remouendo remedium adhibere volentes, inhibemus ne per monachum quemlibet vel eius seruientem, quisquam secularis ad infirmitorium inducatur, vel in eo moretur, quamcumque specialis, nisi sit grauis et honesta persona per quam non presumatur scandalum posse oriri vel secretum exterius publicari, sub pena grauioris culpe monacho inducenti per priorem indicende. Ne autem mulieres in dormitorio inducantur similiter inhibemus.

¹ The text of the following passage is corrupt, but the general sense clear.

² MS. *huus*.

[11] *The presidents are not to make it too easy for brethren to dine in private, away from the refectory.*

Item, ut egestati pauperum eo uberius consulatur quo elemosina in refectorio ampliatur, precipimus et ordinamus vt presidentes non licencient de facili fratres comedere extra refectorium in priuato, nisi magna et vrgenti necessitate hoc esse viderint faciendum, ne quisquam fratrum de edilio suo quicquam extra refectorium mittere eciam quesito colore presumat.

[12] *The money called 'gracie' is to be administered, as in times past, by the subprior and third prior.*

Item vt substancialis pars professionis assumpte seruetur, et color proprietatis singulis fratribus adimatur, decernimus et inuiolabiliter obseruari precipimus, vt illa pecunia que vocatur gracie, solita distribui inter fratres pro suis necessitatibus, amodo vt prius sit in custodia supprioris et tercii prioris [fo. 60v] vel fratrum duorum a priore assignandorum, quibus illam pecuniam integraliter liberari censemus, qui illam recipiant custodiant et distribuant inter fratres ex licencia prioris, prout cuique opus fuerit secundum porcionem ipsum alias contingentem. Et siquid residuum fuerit ad arbitrium prioris in vsus necessarios conuertatur.

[13] *Clothés-money is forbidden.*

Simili quoque modo decernimus vt fratres pro indumentis suis pecuniam vel aliud certum non recipiant, absque prioris licencia speciali que nemini concedatur nisi ex causa necessaria et euidenti valde.

[14] *Bequests for pittances are to be applied to the improvement of the fare in the refectory. Monks who are absent from the refectory for a proper cause are to have their pittances, but there must be no private parties.*

Ne insuper ius nostrum negligenter et deuocionem predecessorum nostrorum quorum vestigia sequi tenemur conniuenso transire leuiter videamur, precipimus in virtute sancte obediencie ac in remissionem peccatorum vestrorum obseruari decernimus, vt fructus ecclesie de Wisebech' ¹ que pro vberiori refectione fratrum in refectorio et ampliacionem numeri in eodem habendo, qui occasione debilis refeccionis se a refectorio aliquociens subtraxerunt, per bone memorie Hugonem episcopum Eliensem predecessorem

¹ Cf. Introduction, p. x.

nostrum eidem refectorio assignata fuerat, inibi secundum suam ordinationem et non alibi, preterquam inter fratres conventus ex rationabili causa et non quesita licentia absentes, quibus culpa absencie a refectorio inpingi non potest expendantur, quos censemus iustum vt de eis percipiant sicut in refectorio presentes fuissent, dum tamen non fiant aliquatenus conuocaciones seu comessationes extra dictum refectorium causa pictanciarum huiusmodi, vnde numerus debitus fratrum in refectorio minuatur quod priori et suppriori presidentibus ac aliis omnibus in virtute obediencie iniungimus.

[15] *The customary measure of corn and malt for the convent must be maintained, and estates are to be managed by the prior's seneschal and a secular.*

Sit eciam de cetero mensura bladi et brasii ad opus conuentus sicut esse consuevit. Eligatur eciam et assumatur per priorem et conuentum vnus fratrum industris et discretus pro custodia maneriorum prioratus et bonorum in eisdem et ad eadem pertinencium et existencium, consuetus vocari senescallus prioris, qui seculari senescallo prioris viro in hac parte discreto et experto assideat, in curiis tenendis de maneriis domus, et cum ipso de manerio ad manerium transitum faciat, disponat, ordinet cum consilio prioris prout melius ad vtili-[fo. 61r] tatem ecclesie et conuentus fuerit faciendum; ita quod neuter eorum habeat familiam onerosam, sed moderaciorem quam poterit habere.

Vt igitur hec statuta nostra que ad honorem dei et ecclesie nostre vtilitatem tociusque conuentus quietem non sine graui labore edidimus fructum faciant prosperum quem optamus, priori et suppriori qui habent custodiam ordinis iniungimus et mandamus in virtute obediencie vt ipsi per se obseruent, et ab aliis inferioribus suis hec statuta nostra decreta precepta mandata et iniuncta faciant efficaciter obseruari. Et ne ignorancia mater erroris quemquam seducat qui prius dampnum sentire poterit quam incurrat, decernimus vt bis in anno, in principio scilicet aduentus domini [et] in capite ieiunii, omnibus et singulis fratribus in capitulo conuocatis, hec statuta nostra legantur, et tam iuniores quam seniores ea frequentius ruminent, vt fructum hauriant gracie salutaris.

Acta sunt et publicata in capitulo nostro Eliensi secundo die Marcii anno domini milesimo tricentesimo sexto, et consecracionis nostre quinto, coram priore et suppriori ac eciam toto conventu.

ORDINANCES OF THE PRIOR AND CHAPTER,

1314¹

Ordinaciones spectantes principaliter ad religionem et conuentum.

Anno domini millesimo ccc^{mo} quartodecimo, quarto Id' Marcii, per communem consensum fratris I. de Fresingfeld' ² prioris et conuentus totius ecclesie Elyensis ordinatum est prout sequitur.

[1] *The prior is to be present more frequently at the Divine Office.*

Videlicet quod idem prior magis solito diuinis officiis pro posse suo intersit, et in choro, capitulo, claustro, refectorio et alibi deuote conuersetur; vt bono ipsius exemplo ceteri timeant delinquere, et sumant materiam deuocius conuersandi.

[2] *The subprior and obedientiaries likewise are to be in time for the Offices, and are to stay to the end.*

Item supprior, alii obedientiarii, et fratres singuli similiter hec faciant, et ad horas canonicas in incepcone conueniant, et completionem expectent, exceptis quos antiqua consuetudo uel presencium licencia reddunt excusatos.

[3] *Brethren are not to wander alone through the church, the campanile, the court, kitchen, or offices.*

Item nec sint vagi nec soli discurrentes per ecclesiam, campanile, curiam et coquinam et officinas, nec exeant claustrum nisi de licencia speciali; quod si quis in hoc deprehensus fuerit acriter puniatur. Et si quemquam fratrem quouis obedientiarius viderit sic vagantem, in capitulo ipsum proclamet. Alioquin idem obedientiarius velut eidem consciens pari pena puniatur.

[4] *Brethren are not to talk at the door of the vestry, lest the brethren celebrating at the altars there may be disturbed.*

Item quia vana verborum loquacitas non solum proferentem

¹ Brit. Mus. Add. MS. 41612 fo. 31v (formerly 30v).

² Prior 1303-21.

coinquinat,¹ sed impedit plerumque contemplantes, silencium a fratribus omnibus, singulis locis et temporibus, regulariter obseruetur, et ad hostium vestiarii non confabulentur, ne fratrum ad altaria ibidem celebrantium deuocio aliquid perturbetur. Quod si correpti sepius emendare noluerint, ipsos pena regularis coherceat a delicto.

[5] *Brethren are to refrain from conversations with women.*

Item unusquisque fratrum a superfluis confabulationibus et suspectis precipue mulierum in locis puppulis et priuatis, aut in ecclesia vel alibi vbicumque se prorsus abstineant.

[6] *Things done in chapter, or in private among the brethren, are not to be divulged to seculars.*

Item ne in presencia secularium vel secularis persone recitentur dicta uel facta in capitulo uel alibi secrete inter fratres habita, ex quibus scandalum aut dampnum ecclesie uel persone singulari valeat euenire.

[7] *Brethren are to confess frequently to six of their number, chosen by the convent. Priests are to celebrate at least once every three days.*

Item fratres singuli frequenter et pure sex fratribus per priorem et conuentum electis, aut aliis optenta prius a priore licencia, confiteantur. Sciant eciam prior et presidentes quis cui confiteatur. Et celebrent singuli sacerdotes communiter et deuote, et quicumque ultra triduum absque causa rationabili et [licencia] presidentis expressa a celebratione diuinorum se subtraxerit, in capitulo proclametur et penitencie subiaceat regulari.

[8] *Brethren are not to give away their food without permission.*

Item ordinatum est vt nullus fratrum de cibariis et de annona sibi apposita quicquam det vel subtrahat sine licencia presidentis. Nec ipse presidens in perniciosum aliorum exemplum id idem faciat nimis frequenter. Et quia obedienciarii qui reputantur aliunde sufficientes quam de licencia suis famulis exhibendi necessaria [*sic*], ordinatum est ne decetero ita frequenter vt ceteri ad hoc licententur, exceptis refectuario nigro hostilario² et gardinario quos antiqua vt dicitur excusat consuetudo; si quis autem in premissis deliquerit in crastino proclametur, ac simili edulio pariter priuetur.

¹ MS. *coquinat*.

² Cf. 'Solutum tegulatori pro emendacione claustris versus nigrum ostelarium, 7s.' Chapman, *op. cit.*, ii. 143. The 'black hostelry' accommodated Benedictine monks who visited Ely.

[9] *The prior is not to allow the brethren to go out too frequently.*

Item prior non licenciet fratres spaciandi per patriam nimis communiter. Nec alicui prius licenciam extra insulam progredi concedat, quam sibi de eius honesta constet comitiua et vectura sufficienti, vt populi cesset obliquacio et honor ecclesie pariter obseruetur. Illos autem quos¹ in hoc culpabiles contigerit reperiri, ipsis licencia spaciandi per annum interdicatur.

[10] *Obedientiaries and their servants are to give account of their administration annually before the prior and three auditors.*

Item singuli obedienciarri et eorum seruientes iurati super compotos semel in anno, coram priore et fratribus per ipsum et conuentum assumendis, de suis administracionibus fideliter reddant rationem. Si quis uero monicionibus premissis a compoto reddendo absque causa rationabili se subtraxerit, ab officio amoueatur; nec sibi restituatur donec plenissimam de receptis et expensis per ipsum factis reddiderit rationem. Item ordinatum est quod quolibet anno assumantur tres fratres de consensu prioris et conuentus ad audiendum compotos omnium obedienciariorum et quod per ipsos fuerit allocatum, aut racione exigente disallocatum, robur capiat firmitatis.

[11] *Two brethren are to be appointed by the prior and convent to administer 'gracie'.*

Item deputentur duo fratres a priore et conuentu ad custodiam graciaram, qui fratribus singulis presertim claustralibus et iuuenibus prout habuerint necesse [fo. 32r] absque dilacione liberent et murmuracione.

[12] *Concerning almsgiving. Rules for the boys' school in the almonry.*

Item elemosinarius erga pauperes in exhibendis elemosinis eiisdem [sic] magis liberalem se exhibeat, et elemosinas faciat vberiores. Atque scolares cum eorum magistro de melioribus cibariis et potibus, tam de carnibus quam de piscibus vndecumque prouenientibus, per aliquem fidelem ad hoc deputatum, ne predicti clerici porcione sua defraudentur, faciat procurari; et quod elemosinarius non permittat aliquem de scolariis, per regularem uel secularem personam introductum, vltra quatuor annos ibidem

¹ MS quo.

commorari. Nec ille idem, qui exeuntem introduxit, per alios annos iiij^{or} sequentes quempiam introducat, vt alios confratres simili beneficio indigentes totaliter impediat. Nec aliquis per secularem personam introducatur sine consensu prioris et conuentus. Ingre-diencium autem nomina, diem, et annum redigat in scriptura, quam scripturam socio suo tradat indentatam. In instanti vero commorantium tempus si quis attigerit exire compellatur. Singula autem recepta in spiritualibus et temporalibus ad elemosinariam quoquomodo spectancia semel in anno, cum aliis fratribus computum reddentibus, coram priore et conuentu in scriptis plenarie redacta fideliter recognoscat, nec ipse elemosinarius, uel quivis obedienciarius, det aut concedat pecuniam de officio sibi commisso domino priori, vel alicui alii, absque voluntate communi conuentus.

[13] *The seneschal of the prior's hospice is to see that the alms there are better looked after.*

Item senescallus prioris hospicii prouideat quod elemosina in dicto hospicio decetero melius custodiatur.

[14] *Offerings at the relics and shrines in the church after the time of Dedication are to be accounted for in chapter by the sacrist, feretrar and custos of the Lady altar.*

Item sacrista, feretrarius,¹ et custos altaris beate Marie singulis annis, post tempus dedicacionis completum, quantum ad feretrum, reliquias, boyas,² crucem, et altare beate Marie de oblacionibus tempore dedicacionis acceperint, in capitulo coram priore et conuentu fideliter agnoscant; et quod idem feretrarius omnes obuenciones [blank] vna cum oblacionibus omnium feretrorum, deductis expensis sacriste necessariis qui pro tempore fuerit, tradat competentem.

¹ The feretrar in the fifteenth century sold nearly £3 worth of candles to pilgrims who visited the shrines during the 40 days' indulgence, called the feast of Dedication, granted by Pope Innocent IV, and confirmed by Alexander IV (Liber M, 172 and 173). The almonry schoolboys helped him to guard the candles and call the pilgrims. The income from the shrines was paid to the sacrist and accounted for by him. It usually came to £50 or £60; but in 1535-6 it had sunk to £4 13s. 8d (Feretrar's Rolls, transcribed and analysed by Rev. J. H. Crosby, D. & C. Library, Ely).

² The fetters which a prisoner, set free by the intervention of St. Etheldreda, hung upon the fourth pier (from the east) of the north arcade of the presbytery (Chapman, *op. cit.*, i. 118).

[15] *The precentor is to get scribes to write the books for use in choir, and all books are to be given up to him in chapter on the first Monday in Lent, so that he can check them in his roll.*

Item precentor scriptores pro libris scribendis et precipue anti-phonariis,¹ ne pro ipsorum defectu fratres chorum exeant alibi dicturi matutinas. Adicimus eciam et districte ordinamus vt singuli fratres, quoscumque libros seu quecumque volumina maiora seu minora penes se de communitate habentes, feria secunda in capite Quadragesime illa plenissime in capitulo, coram priore et conuentu, singulis annis ostendant, precentori tradenda, in rotulo ipsius scribenda, et ab ipso si necesse fuerit resumenda. Nec liceat cuicumque ea vel partem eorundem cuicumque comodare, mutare, impingnorare seu quouis alio modo alienare, quominus ea, vt predictum est, tempore et die scripta integraliter valeat ostendere et quod precentor de eisdem, tam in librario ² quam in fratrum manibus, quandocumque a priore et conuentu fuerit rogatus, fideliter et absque diminucione respondeat. Et si quis quodcumque volumen forsan amiserit uel obliuioni tradiderit, ita ut inueniri non poterit, precium huius voluminis de graciis et vestimentis ipsius subtrahatur, donec de eodem uel consimili fuerit satisfactum.

[16] *The pittancers are to provide for the convent, according to the ordinances of the past and of modern times.*

Item pitanciarii in pitanciis exhibendis conuentui provt antiquitus noscitur ordinatum esse et modernis temporibus ipsis pariter in necessariis de cetero fideliter tam iuuenibus quam senibus competenter administrent.

[17] *The hosteller is to show himself cheerful at the arrival of guests, especially friends and relatives of monks, and is to provide everything for their stay.*

Item hostilarius exhibeat se hillarem in adventu hospitem et precipue amicorum et parentum monachorum, qui si in crastino moram fecerint, ea que victui sunt necessaria absque murmuracione ipsis elargiri faciat competenter.

[18] *The refectorer is to show annually at Michaelmas all silver and gilded vessels, mazers and spoons to the prior and convent. No*

¹ sic, verb left out.

² This is the only reference to the library at Ely.

one shall lend, exchange, pledge, sell, or otherwise alienate any vessels or spoons to the damage of the church. Mazers and spoons of departed monks are to be given to the refectorer, but books are to be given to the precentor.

Item refectuarium omnia vasa argentea et deaurata, ciphos murreos et coclearia annuatim post festum sancti Michaelis priori et conuentui ostendat, et ponderata et numerata quorum pondus et numerus in scriptura indentata redacta, predicto refectuario retradantur, de predictis pondere et numero annuatim in forma predicta responsuro, retenta secum vna parte indenture, altera penes suppriorem remanente; nec ipse refectuarium, nec quivis alius de conuentu seu [fo. 32v] alius eorum nomine, vasa argentea uel coclearia seu etiam ciphos murreos ad dampnum ecclesie uel communitatis det, mutuet, in escambium tradat, vendat, impingnoret, seu in quovis alio modo cuiquam assignando alienet nec alienari permittat. Si quis autem in aliquo premissorum contrarium fecerit tantum de graciis et vestimentis sibi debitis, per priorem et suppriorem statim subtrahatur, et refectuario ad emendum consimilia absque diminucione liberetur. Adicimus etiam quod ciphos, coclearia, ac alia vasa fratrum defunctorum refectuario, libri vero decetero precentori, liberentur.

[19] *The hosteller is to receive all the clothes and utensils belonging to his office under an indenture.*

Item etiam ordinatum est quod hostilarius monachorum singula vestimenta et vtensilia ad officium suum spectancia, sicut ceteri obedienciarii, per indenturam recipiat, et in suo recessu successori suo eadem relinquat; et si contingat post mortem fratrum uel aliunde, vestes, vasa, vel aliqua alia ad officium suum ipsum de nouo acquirere, in scriptura indentata redigi faciat sine mora, ac eadem, ut predictum est, successori suo dimittat.

[20] *The place in the west part of the cloister, between the new wall and the cloister, also the wine cellar, are to be restored to the convent; and the keys of the cellar and of the door next the refectory are to be handed to the refectorer.*

Item ordinatum est quod locus ille in occidentali parte claustrum, qui est inter nouum murum et claustrum dictum, reddatur conuentui, vna cum celario quondam ad vinum conuentus deputato, et clauces eiusdem celarii et hostii iuxta refectorium secundum morem antiquum refectuario tradantur.

[21] *All doors leading to the cloister are to be shut at night.*

Item singula hostia ad claustrum circumquaque se dirigencia, per custodes ordinis de nocte claudantur, et obedienciarum quos claustra dictorum hostiorum permittit [sic] portare, predicta hostia cum ingressi fuerint, aperta non dimittant; quod si quis contrarium fecerit voluntarie, ab esu carniū et omni genere piscium in crastino priuetur.

[22] *The principal door of the infirmary is to be strictly guarded, and no seculars, except those of good reputation, are to be allowed to enter.*

Item quod principale hostium infirmitarii quo ad ingredientes, per custodem capientem corrodium secundum morem antiquum, stricte de cetero custodiatur, et nullo modo seculares ibidem introducantur, nisi tales de quorum obloquiis non timetur.

[23] *The church is to be guarded day and night by two servants of good conversation.*

Item de custodia ecclesie de die et nocte facienda, ordinamus quod duo seruientes honeste conuersacionis ipsam custodiant¹ personaliter et continue, non subrogantes loco suo inhonestos ribaldos nisi forte in casu ineuitabili, et hoc de licencia sacriste, seu eius socii absente ipso, quod si secus fecerint a ministerio suo illico ammoueantur.

[24] *The brethren and those living in the precinct are not to keep hounds, or birds of prey.*

Item ordinatum est quod nullus fratrum leporarios uel aues rapaces, infra sceptra monasterii vel alibi in villa, absque licencia prioris optenta per se teneat, per aliumve aut presumat retinere; et hoc idem de quocumque infra curiam monasterii quoquomodo famulante statutum est obseruari.

[25] *The prior, or in his absence the seneschal of his hospice, the subprior, together with the almoner, sacrist, cellarer, precentor and chamberlain, are to hold 'minuciones' throughout the year.*

Item de custodia minutorum ordinatum est quod prior, vel in eius absencia senescallus hospicii sui, supprior, adiunctis elemosinario, sacrista, celerario, precentore, camerario, teneant minuciones per annum; inuenientes fratribus suis per tres dies in esculent' et

¹ MS. *custodiam*.

poculent' necessaria prout mos est. In Quadragesima vero et Aduentu per quatuor dies.

[26] *Younger monks who are worthy to be made priests shall be promoted within five years of their profession.*

Item de iuuenibus ordinandis sic est prouisum, quod illi qui sunt professi et vite merito digni per approbacionem conuentus, infra quinquennium ad sacerdocii gradum promoueanur. Ita tamen quod non plus percipiant quam dyaconi vel subdyaconi essent percepturi, quousque per conuentum a dictis gradibus absoluantur, remanentibus vij in quolibet gradu.

[27] *Allowances for travelling.*

Item ordinatum est quod fratres exeuntes vbicumque infra insulam, tam de granetario, celerario, quam de vtroque pitanciaro, percipiant prout perciperent si domi remanerent.

[28] *The prior and those officers who are bound to keep horses are to mount the brethren when they go on a journey.*

Item prior, sacrista et alii obedienciarui, quos consuetudo onerat equos retinere, fratribus exeuntibus prouideant de vectura competenti. Habeatque sacrista quatuor palefridos, celerarius vnum, granetarius, camerarius, [fo. 33r] elemosinarius, hostiliarius, precentor et pitanciarui, quorum quilibet vnum equum teneat pro necessitatibus officiorum et fratrum exeuncium.

[29] *The presidents shall punish those who transgress until they desist, without respect of persons.*

Item presidentes singuli recta consideracione prouideant vt quanto frequencius quis deliquerit, tanto acriori pena ac supplicio eum puniat [sic] grauiori, nec desistant presidentes predicti vicium, ad quod quis assuetus est, sine personarum acceptione persequi, quousque ab illo vicio prorsus se absteineat; fratrem autem semel delinquentem forte non omnino sic constringant.

Et quoniam ordinaciones prescripte de vnanimi consensu et voluntate prioris et conuentus predictorum ab inicio processerunt, quod omnibus quorum interest liquere poterit euidenter, sigillo prioris vna cum sigillo capituli ad plenariam earum obseruacionem in hiis scriptis redactis roborantur.

Dat' in capitulo Elyensi die et anno supra memoratis.

METROPOLITICAL VISITATION OF ARCHBISHOP THOMAS ARUNDEL, 1401¹

[V]isitacio metropolitica reuerendi in Christo patris et domini domini Thome dei gracia Cantuariensis archiepiscopi tocius Anglie primatis et apostolice sedis legati, in ecclesia ac ciuitate et diocesi Eliensi sue Cantuariensis prouincie dudum exercita, incepta primitus in prioratu canonicorum de Bernewell' eiusdem diocesis xvi die mensis Septembr' anno domini secundum cursum et computationem ecclesie anglicane millesimo cccc^{mo} primo, indiccione nona, pontificatus sanctissimi in Christo patris et domini domini Bonifacii diuina prouidencia pape noni anno xj^{mo}, et translacionis ipsius reuerendi patris archiepiscopi anno quarto.

[Here follow the certificatory of the prior of Barnwell, the 'acta' in the priory, the visitation of the deaneries of Cambridge and Chesterton, and of the Chancellor and University of Cambridge, and of some of the colleges.]

The archbishop arrived at Ely on Friday 19 September for the visitation of the cathedral church, and was entertained at Ely palace by Bishop John of Fordham.

[fo. 493r] Et eodem die idem reuerendus pater iter arripuit versus ecclesiam cathedralem Eliensem pro sua visitacione huiusmodi inibi exercenda; vbi eodem die a venerabili patre domino Iohanne dei gracia Eliensi episcopo, ad suum palacium Eliensem cum se et suis honorifice fuit receptus.

On Saturday, 20 September, he proceeded from the palace to the cathedral, and thence to the chapter house, where, after a sermon by the prior of Christchurch, Canterbury, the visitation began.

First John Fordham, Bishop of Ely, exhibited his certificatory letters, dated 14 September 1401, declaring that the orders contained in the archbishop's mandate of 8 July had been carried out.

¹ Lambeth Palace Library Register of Archbishop Thomas Arundel, i. fo. 491.

Item in crastino, videlicet xx^{mo} die eiusdem mensis Septembr', reuerendus pater archiepiscopus supradictus a palacio predicto perrexit ad dictam ecclesiam cathedralem Eliensem; et deinde accessit ad domum capitularem eiusdem, et ibidem incontinenti collacione facta, et proposito uerbo dei per priorem ecclesie Christi Cantuariensis tunc ibidem presentem, sumpto pro themate *Habuerunt gratiam visitacione facta*; causis insuper visitacionis huiusmodi ac singulis articulis in huiusmodi visitacione de iure requisitis, singillatim et seriose expositis, prefatus venerabilis pater Eliensis episcopus, litteras certificatorias, de et super execucione cuiusdam mandati sibi alias in ea parte directi, sigillo eiusdem veraciter consignatas, cum quadam cedula eisdem annexa, coram eodem reuerendo patre humiliter exhibuit, tenorem qui sequitur continentes:

Reuerendo in Christo patri ac domino domino Thome dei gracia Cantuariensi etc. Iohannes permissione diuina Eliensis episcopus obedienciam cum omni reuerencia et honore debito¹ tanto patri. Mandatum vestrum nobis nuper directum reuerenter recepimus in hec uerba:

He quotes the mandate in full, in which he is ordered to cite the prior, the archdeacon, and the monks to appear for visitation on 12 September, and in which his own, and all inferior jurisdictions are inhibited for the time of the visitation.

Thomas etc. venerabili fratri nostro domino Iohanni dei gracia Eliensi episcopo salutem et fraternam in domino caritatem. Cura suscepti regiminis² gregis dominici, nobis altissimo disponente³ commissi, nos impellit, ut in extirpando vicia et plantando virtutes quantum cum deo poterimus nostre uisitacionis ministerium diligenter impendamus. Hinc est quod personam vestram et ecclesiam vestram Eliensem ac eius capitulum, vestreque ciuitatis et diocesis clerum et populum proponimus fauente domino visitare, quod eis curetis patefacere sine mora vt premuniti se preparent visitacionem nostram, secundum canonicas [fo. 493v] sanctiones admissuri. Tenore igitur presencium peremptorie vos citamus, et per vos priorem, archidiaconum ac commonachos et confratres omnes et singulos dicte ecclesie vestre, qui nostre visitacioni metropolitice interesse tenentur, de consuetudine uel de iure citari. Volumus et mandamus quatinus vos et prefati prior, archidiaconus, et commonachi duodecimo die mensis Septembris

¹ MS. *debita*.

² MS. *regis*.

³ MS. *disponenti*.

proximo futuro, cum continuacione et prorogacione dierum tunc sequencium, in domo capitulari prefate ecclesie vestre compareatis et compareant coram nobis, visitacionem nostram huiusmodi iuxta iuris exigenciam subituri, facturique ulterius et recepturi quod canonicis in hac parte conuenit institutis. Vobis eciam tenore presencium inhihemus et interdiciamus expresse, et per vos priori et archidiacono predictis ac vestris et ipsorum officiariis decanis commissariis et ministris quibuscumque, ac aliis subditis dictarum ciuitatis et diocesis, quibus de iure fuerit inhihendum, inhiberi et interdici iniungimus et mandamus ne quicquam in preiudicium visitacionis nostre predictae attemptetis vel attemptent, faciatis aut faciant aliquo modo attemptari. Et si quid in hac parte, quod absit, attemptatum fuerit, vel imposterum contigerit attemptari, id totum revocetis et revocent cum effectu, quod nos eciam ex habundanti revocamus et nullius firmitatis fore decreuimus per presentes. Quid autem in premissis vestra duxerit fraternitas faciendum, nos dictis die et loco distincte et aperte certificari curetis per litteras vestras patentes hunc tenorem, una cum nominibus et cognominibus citatorum huiusmodi in cedula eisdem vestris litteris annectanda, descriptis plenarie continentes.

Data in palacio nostro Cantuar' octauo die mensis Iulii anno domini millesimo cccc^{mo} primo, et nostre translationis anno quinto.

Cuius auctoritate mandati priorem, archidiaconum et confratres et commonachos dicte ecclesie nostre omnes et singulos qui visitacioni vestre huiusmodi interesse tenentur, de consuetudine vel de iure citari fecimus peremptorie, quod dicto xij^{mo} die mensis Septembris cum continuacione et prorogacione predictis in dicta domo capitulari coram vobis comparerent, visitacionem vestram huiusmodi iuxta iuris exigenciam subituri, facturique ulterius et recepturi quod canonicis in ea parte conuenit institutis. Inhibuimus insuper et interdiximus, ac inhiberi et interdici fecimus expresse priori et archidiacono predictis, ac nostris et ipsorum officiariis, decanis, commissariis et ministris et aliis quibus fuerat inhihendum et interdiciendum in forma nobis superius demandata.

He now quotes in full the archbishop's second mandate, dated 20 August, in which he says that, as the lateness of the harvest makes 12 September inconvenient, he has postponed the visitation to 20 September.

Subsequenter uero aliud mandatum vestrum posterius nobis similiter directum, cum ea qua decuit reuerencia recepimus in hec uerba.

Thomas etc. venerabili fratri nostro domino Iohanni dei gracia Eliensi episcopo salutem et fraternam in domino caritatem. Licet nos alias ex concepte pro tunc nostre deliberacionis decreto ad subeundum nostre metropolitice visitacionis officium duodecimo die mensis Septembris proximo iam uenturo in domo capitulari vestre Eliensis ecclesie aliis nostris certi tenoris litteris citauerimus vestram fraternitatem, et per eam priorem archidiaconum et commonachos ipsius ecclesie, qui visitacioni nostre huiusmodi interesse tenentur de consuetudine vel de iure mandauerimus et fecerimus sic citari. Quia tamen sicut euidenti informacione cognoscimus quod predicta assignacio termini, propter tempus messium ex aeris intemperie, in illis partibus retardatum, sine vestro et subditorum vestrorum incomodo, cui semper desideramus occurrere, non potest tam tempestiue seruari; visitacionem eandem sic decretam et assignatam, usque in diem Martis, uidelicet vicessimum diem mensis Septembris supradicti, deliberato animo duximus prorogandum prout tenore presencium prorogamus, et visitacionem predictam in illos diem et locum inchoandam transferimus per presentes. Vestre fraternitati firmiter iniungendo mandamus quatinus prorogacionem nostram huiusmodi omnibus et singulis quorum interest publice et effectualiter intimetis, ac ipsam visitacionem die et loco predictis, quatenus ad vos attinet, iuxta iuris exigenciam subire curetis et per alios supradictos procuretis et faciatis subiri. Et quid feceritis in premissis nos, dictis die et loco, iuxta formam prioris mandati vobis in hac parte directi, debite certificetis per litteras vestras patentes harum seriem et dicti prioris mandati tenorem plenarie continentes. Datum in manerio nostro de Lamheth' xx^{mo} die mensis Augusti anno domini m.cccc^{mo} primo, et nostre translacionis anno quinto.

Cuius quidem posterioris mandati auctoritate et vigore prorogacionem vestram huiusmodi omnibus et singulis quorum interest publice et effectualiter intimauiimus, ipsamque visitacionem die et loco in dicto posteriori mandato vestro expressatis quatenus ad nos attineret, iuxta iuris exigenciam subire intendimus, et per alios supradictos procurauiimus et mandauimus sic subiri. Que omnia et singula paternitati vestre reuerendissime certificamus per has

litteras nostras patentes iuxta formam mandatorum vestrorum predictorum, una cum nominibus et cognominibus omnium et singulorum per nos sic citatorum in cedula presentibus annexa descriptis plenarie et contentis. Et sic mandata vestra reuerendissima supradicta sumus reuerenter et obedienter in omnibus executi. In quorum omnium testimonium sigillum nostrum fecimus hiis apponi. Dat' in manerio nostro de Dounham xiiij^{to} die mensis Septembris anno domini supradicto, et nostre translacionis anno xiiij^o.

After the formal preliminaries, the archbishop examined Bishop Fordham. Then followed the examination of the prior and monks.

Et subsequenter eisdem litteris certificatoriis tunc ibidem seriose perlectis, idem reuerendus pater archiepiscopus in personam dicti venerabilis patris Eliensis episcopi suam visitacionem huiusmodi actualiter incipiens, obedienciam ab eodem recepit canonicam, ipsumque super statu et regimine ipsius cathedralis ecclesie ac aliis articulis in huiusmodi visitacione de iure requisitis diligenter [fo. 494r] et secrete examinavit. Et productis insuper et exhibitis per eundem venerabilem patrem Eliensem episcopum litteris munitis suis de et super translacione sua, et adepcione dignitatis sue predictae, et ipsis per eundem reuerendum patrem archiepiscopum supradictum inspectis plene et examinatis, et earum copiis dimissis penes registrum, aliisque circa personam ipsius Eliensis episcopi tunc ibidem seriatim examinatis, que in ea parte fuerant requisita, processit deinde ad visitacionem prioris et capituli eiusdem Eliensis ecclesie, et ipsos subsequenter uisitavit in eadem domo capitulari et ab eisdem et eorum singulis tunc ibidem personaliter comparentibus obedienciam recepit canonicam, et ipsos deinceps ac singulares personas eorundem illo die et certis diebus ex tunc sequentibus secrete et singulariter examinavit super statu et regimine ipsius cathedralis ecclesie, ac aliis articulis in huiusmodi visitacione de iure requisitis, et eorum dicta et deposita fecit inseri in registro. Et fuit ibidem idem reuerendus pater in palacio et prioratu predictis circa visitacionem suam huiusmodi sicut premittitur inibi exercendam, a dicto xx^{mo} die mensis Septembris usque ad xxiiij^o diem eiusdem mensis.

As a result of the disclosures, Prior William Walpole¹ resigned during the visitation.

¹ William Walpole had held offices in the priory since 1370, and was sacrist in 1393. He was elected prior in 1397. The expenses of his election, amounting to £22 8s. 9d., appear in the treasurer's account for the year. Letters

suorum petiit licenciam ab eodem reuerendo patre archiepiscopo supradicto ad eleccionem futuri prioris eiusdem cathedralis ecclesie effectualiter procedendum, quam licenciam idem reuerendus pater incontinenti concessit realiter tunc ibidem. Et deinde expositum fuit capitulum, 'Quia propter' de eleccionibus,¹ per priorem ecclesie Christi Cantuariensis tunc ibidem presentem, coram toto capitulo et omnibus et singulis commonachis ipsius prioratus. Et deinde processerunt ad eleccionem et postulacionem.

Brother William Walpole then postulated brother William Powcher, at that time abbot of Walden, to which all assented, and he was carried to the High Altar and acclaimed there. Whereupon the archbishop explained to the crowd in English how the old prior had resigned, and that the new one was lawfully appointed.

Et incontinenti predictus frater Willelmus Walpol postulauit fratrem Willelmum Powchere ² tunc abbatem monasterii de Walden, London dioc', tunc ibidem personaliter presentem, cui sic postulato supprior et omnes commonachi predictae ecclesie, excepto fratre Iohanne de Sancto Iuone tunc [in] infirmaria existente, unanimiter per viam spiritus sancti, ut verisimiliter creditur, ducti voto concordii consencierunt, et ipsum postularunt in suum priorem et pastorem. Quo facto supprior et commonachi predicti ipsum tunc ibidem ut premittitur presentem sustulerunt, et ad magnum altare predictae ecclesie cum decantacione ympni 'Te deum laudamus' et pulsatis campanis solempniter deportarunt. Quibus decantacione et pulsacione finitis, prefatus reuerendus pater archiepiscopus, tunc ibidem personaliter presens, quandam collectam de sancta Etheldreda publice legebat, qua finita, idem reuerendus pater formam renunciationis et resignacionis predictae, legitime petitionis prioris postulacionis et aliorum actorum premissorum, episcopo Eliensi et suis familiaribus et aliis quampluribus, tam clericis quam laicis, ad dictam ecclesiam confluentibus et personaliter presentibus, exposuit in vulgari. Et postea in presencia prioris Cantuariensis et alterius monachi requisitus fuit consensus predicti fratris Iohannis de Sancto Iuone, in capella infirmarie predictae, qui statim consenciebat electioni siue postulacioni predictae realiter et cum effectuo, gracias agens altissimo quod tam unanimis et concors electio de tam virtuoso et famoso viro tam gracie processit. Et fuerunt presentes

¹ *Decretals*, I. 6. 42.

² He had been sacrist of the house, and was made abbot of Saffron Walden in 1390.

in renunciacione, organi vocis commissione, legitime petitione, concessione, postulacione, pronunciacione et aliis singulis celebratibus supradictis, prior ecclesie Christi Cantuariensis, predictus magister Robertus Hallum archidiaconus Cantuariensis, Nicolaus Ruyssheton', utriusque iuris doctor, et dominus Iohannes Bathe et Thomas Balsham capellani, et Willelmus Piers auctoritate apostolica notarius publicus. Et subsequenter postmodum alia fuerunt circa expediendum et finiendum dictum postulacionis negocium exercita que in subsequentibus ac ex altera parte huius folii conscribuntur.

VISITATION INJUNCTIONS OF ARCHBISHOP THOMAS ARUNDEL, 1403¹

Thomas, et cetera, dilectis in Christo filiis priori et capitulo ecclesie cathedralis Eliensis salutem, et cetera.

[1] *No exemptions from the choir offices are to be allowed.*

Precipimus et mandamus quod non fiant decetero exempciones a choro, nocturnis horis et diurnis, iuxta constitutiones sanctissimi patris Benedicti duodecimi, titulo 'de celebracione et confessione sacerdotum', vniuersi et singuli²; ³ set omnes fratres infra septa monasterii constituti, mox audita campana, omnibus aliis pretermis, ad ecclesiam cum debita maturitate festinent, et cum dei timore et reuerencia ibidem diuinis insistant, in principio, medio et fine horarum³ ac missarum sacrificium laudis deo humiliter referentes. ⁴ Nullusque cuiuscumque condicionis vel status existat se absentare presumat, aut occasione querat absentandi se, quacumque hora, diuino cultui in ecclesia vel choro, refectorio seu claustro deputata, absque causa rationabili⁴ et licencia a priore vel eius vice gerente petita specialiter et optenta, causa quacumque contraria vsitata non obstante. Et specialiter decetero, omnes ad completorium volumus convenire, prout in regula sancti Benedicti in capitulo de completorio⁵ plenius continetur, hiis exceptis quod regula reputat excusatos.

[2] *So that all officers may be present at the services, the income from their estates is no longer to pass through their hands, but is to be paid to the two elected treasurers for administration by them.*

Et vt omnes officarii diuinis officiis, horis diurnis et nocturnis, liberius valeant interesse vt predictum est, ordinamus quod omnes

¹ Lambeth Pal. Library, Register of Archbishop Thomas Arundel, i. fo. 496v.

² Cf. Constitutions of Pope Benedict XII, ch. 28 (Wilkins, *Concilia*, ii. 609).

³⁻³
⁴⁻⁴ } Cf. Statutes of Bishop Ralph of Walpole, above, p. 7.

⁵ Cf. *Reg. S. Benedicti*, cap. 42.

denarii seu prouentus, qui leuantur de bonis prioratus et officiariorum omnium et singulorum, excepto officio elemosinarii, deductis expensis et solucionibus necessariis, non ad manus prioris vel alicuius alterius dictorum officiariorum perueniant, set dumtaxat ad manus duorum thesaurariorum quos elegi per priorem et conuentum decetero volumus et mandamus, vt ipsis thesaurariis huiusmodi denarii officiariorum dictorum sine manu media integre liberentur. Dicti vero thesaurarii ad ea que sunt emenda seu reparanda predictis officiariis pro suis officiis, secundum indigenciam eorundem, de receptis debite ministrent. Qui thesaurarii et officarii cum omnibus ministris ad prioratum et officarios predictos pertinentibus semel in anno post festum sancti Michaelis, coram priore et suppriori et aliis ad hoc negocium a priore et capitulo deputatis, reddant compotum de receptis pariter et expensis. Ita quod nullus officiarius dictorum officiariorum de dictis bonis extra scepta dicti monasterii ad sua officia pertinentibus curam habeat, infra villam vel extra, preter duos thesaurarios, qui de omnibus redditibus ville ad quoscumque officarios pertinentibus in eadem villa existentibus, excepto officio elemosinarie vt predictum est, priori et officiariis fideliter ministrabunt.

[3] *The foreign seneschal is to supervise the property of the obedientiaries, and he and the treasurers are to swear to administer faithfully.*

Et ne dispendium aliquod notabile maneriis, grangiis, ecclesiis, et aliis huiusmodi locis infra villam et extra, ad officarios pertinentibus, ex defectu superuisionis eueniat in futurum, ordinamus quod senescallus forinsecus prioris et conuentus omnia hec predicta extra scepta monasterii ad dictos officarios pertinencia, vna cum consilio dictorum prioris et officiariorum, in omnibus et per omnia superuideat, sicut superuidere solebat bona communia prioratus. Volumus insuper et ordinamus quod dicti senescallus et duo thesaurarii per priorem et conuentum electi, de sua fideli administracione in eorum creacione in capitulo coram priore et conuentu super sacra ewangelia corporalia prestant iuramenta.

[4] *The revenues of the cellar, hostelry and of the pittancers are to be paid by the treasurers to the cellarer and kitchenier.*

Recipiantque cellarius et coquinarius per manus thesaurariorum, vt predictur, omnes denarios et prouentus de officiis celerarie, hostillarie, pitanciarie de Wysebech' et pitanciarie de Sutton' in partem oneris [?] sui supplendi. Ita tamen quod omnes prouentus

dictorum officiorum et aliorum omnium Eliensis ecclesie expendantur in illos usus, propter quos fuerant primitus ordinati.

[5] *Let the cellarer and kitchener provide for the prior's hospice, and for the refectory, the guests, the blood-lettings and recreations from one kitchen.*

Prouideantque dicti cellerarius et coquinarius pro hospicio prioris, et refectorio, hospitibus, minucionibus et recreacionibus conuentus ab vna coquina.

[6] *There is only to be one hosteller, who shall warn the cellarer how many guests he has, so that they can be provided for according to their standing in the prior's hall, the hostelry, or in the chamber for guests.*

Eligatur insuper hostillarius solo nomine pro vtraque hostillaria pro hospitibus inuitandis, et secundum exigenciam status illorum sit cum eisdem occupatus. Premuniatque hostillarius cellerarium et coquinarium de numero hospitum, vt dicti celerarius et coquinarius secundum vnus cuiusque statum in aula prioris, seu in hostillario vel camera pro hospitibus deputata poterint prouidere.

[7] *Relatives and friends of monks, and others who cannot conveniently be entertained in the prior's hall, are to be cared for in the hostelry or guest chamber, according to their standing.*

Et si contingat monachorum parentes, fratres aut sorores, seu alii amici ¹ vel hospites quibus non placet aut comode non possunt in aula prioris cum ceteris prandere, prouideatur per celerarium et coquinarium eisdem secundum exigenciam status illorum in hostillaria vel camera pro hospitibus deputata, vna cum hostillario et monachis amicis ipsorum hospitum, secundum quod presidenti videbitur expedire; inhiabentes districte ne quisquam monachorum ecclesie antedictae presumat carnes comedere seu carnes ex consuetudine aut pisses [sic] ² vel aliam domum tenere vel esum carniū seu pissium infra scepta monasterii aut alibi quam in aula vel camera prioris; exceptis infirmis in infirmaria existentibus et illis qui cum dictis infirmis [fo. 497r] per presidentem comedere assignantur, ac eciam illis qui cum parentibus et aliis hospitibus, vt predictum est, cum quibus solummodo in presencia amicorum suorum, in hostillaria vel camera pro hospitibus deputata, per superiores suos misericorditer fuerit dispensatum.

¹ MS. *alios amicos*.

² The text here is corrupt.

[8] *Both in refectory and elsewhere the brethren are not to be given the ancient customary measures of bread and ale, but in future everyone is to have enough.*

Item volumus et precipimus quod fratres in refectorio vel extra comedentes, non capiant decetero antiquam mensuram panis et seruicii in iustis, prout temporibus retroactis percipere consueuerunt, set quod ipsis tam de pane quam seruicio sufficienter honestius administretur.

[9] *Concerning clothes and clothes-money.*

Insuper quia prior duas pensiones, scilicet duodecim solidos et vj denarios, et eciam decem solidos per manus camerarii hactenus solebat cuilibet fratri bis in anno contra patrum decreta soluere pro vestura; propterea sancctionibus patrum in hac parte, et precipue regule sancti Benedicti firmiter adherentes, taliter ordinamus quod prior, per manus camerarii, soluat cuilibet fratri semel in anno vnum habitum, scilicet cucullum et frocum, loco vnus pensionis, scilicet duodecim solidos et sex denarios; ita quod fratres vniformes in habitu non causetur de grossitudine seu colore set quod vilius poterit comparari, prout in regula sancti Benedicti capitulo de vestimentis fratrum laciis continetur;¹ inhibentes eciam districte ne quis monachorum ecclesie antedictae, cuiuscumque sit status siue gradus, quacumque arte vel ingenio habeat aliquem habitum, scilicet cucullum et frocum, seu induatur aliquo habitu, extra monasterio vel infra, vltra precium tresdecim solidorum et quatuor denariorum, vel cucullum per se vel frocum vltra precium sex solidorum et octo denariorum. Camerarius eciam semel in anno solet cuilibet fratri pro tunica soluere quinque solidos, pro quibus ordinamus quod dictus camerarius vnam bonam tunicam cuilibet fratri soluat annuatim, et quod pensio decem solidorum, quam prior solebat soluere pro vestura,² cum omnibus aliis pensionibus singulorum officiorum nomine graciary temporibus consuetis reddantur conuentui per manus camerarii, vt decetero nomine graciary volumus nuncupari.

[10] *No monk in future is to give any of the remains of his food to any secular by way of payment, but all remains from every table in the monastery are to be collected by the almoner for the uses of the poor, without any diminution.*

Volumus insuper et ordinamus quod nullus monachorum ecclesie

¹ Cf. *Reg. S. Benedicti*, cap. 55.

² See above, p. 2.

antedicte habeat seu conferat residua cibariorum suorum, videlicet panis, seruisie siue ferculorum, alicui seculari pro stipendio, vbi-
cumque comederint infra monasterium; set omnia remanencia
omnium mensarum monasterii cedant in elemosinam per elemosin-
arium egentibus fideliter eroganda sine diminucione aliquali. Et
quod fratres recipientes noua indumenta reddant vetera per elemosin-
arium et camerarium, secundum discrecionem prioris, pauperibus
distribuenda.

Que omnia sub maioris excommunicacionis pena precipimus
firmiter obseruari.

Dat' in manerio nostro de Otteford' xxiiii^{to} die mensis Aprilis
anno domini m.cccc^{mo} tercio, et nostre translacionis septimo.

VISITATION INJUNCTIONS OF BISHOP WILLIAM GRAY, 1466¹

Item xxvii^o die mensis Maii, anno domini millesimo cccc^{mo} lxvi^{to} dominus in manerio suo de Somersham mandauit fieri et emanari suas litteras directas priori et conuentui ecclesie sue cathedralis Eliensis, certas ordinationes et iniuncciones in se continentes sub datas in eisdem descriptas, quarum tenor sequitur in hec verba :

Willelmus permissione diuina Eliensis episcopus dilectis in Christo filiis priori et conuentui ecclesie nostre cathedralis Eliensis, salutem gratiam et benedictionem.

Cum nos iam dudum personas vestras et ecclesiam nostram cathedralem predictam tam in capite quam in membris nostro iure ordinario personaliter visitantes, quosdam defectus correccione et reformatione dignos invenerimus, quos temporibus successivis radicitus extirpare conamur, pro uberiori reformatione eorundem ordinationes et statuta cum penarum appositione prouidimus infrascripta.

[1] *No monk is to be absent from Divine Service without good reason.*

In primis cum omnis vestre deuocionis affectus in eum solum tendere debeat, cui vos in solidum vouistis, equum est [ut] debitum seruitutis officium impendatis, nec fas est diuinum officium fornicis intercipere curis. Ordinamus igitur iniungimus ac mandamus quod absque causa euidentis necessitatis nullus commonachorum se absentet a diuinis, neque de choro tempore diuini seruicii recedat, nisi speciali licencia prioris, supprioris, vel alterius ad tunc in choro presidentis, petita et obtenta. Siquis vero commonachorum contrafecerit, pro qualibet vna die in pane et potagio ieiunare teneatur, omnium sibi carnum et piscium solacio denegato.

[2] *Monks are to obey the prior in lawful and canonical demands, and are not to conspire against him.*

Item cum iuxta euangelicam historiam humilitas demandetur,

¹ Ely Diocesan Registry, Register of Bishop William Gray, fo. 58r.

cum dicatur 'Discite a me quia mitis sum et humilis corde',¹ vos vestre maiori preferre immo nec per comparacionem equiparare non decet si humilitatis fastidium et diuine bonitatis exemplum consequi velitis, ex qua [fo. 58v] humilitate vera procedit obediencia que victime antefertur ad quam seruandam professionis votum tamquam religionis fundamentum promisistis, nec ab [ea] sine interminacione diuini iudicii resiliendum est, de qua meminit Apostolus dicens 'Obedite prepositis vestris.'² Ordinamus igitur iniungimus et mandamus quod omnes commonachi vnanimiter priori dicte nostre ecclesie cathedralis qui nunc est et pro tempore fuerit, in licitis et canonicis mandatis obediat, nec contra eum quicquam conspiret. Sed si quicquam forsitan acciderit quod vestrorum aliquem grauet, cum omni mansuetudine et modestia tamquam patrem tractetis eundem. Contrauenientem uero monitum prius, si non desistat, tamquam rebellem iuxta vestri ordinis regulam acriter decernimus et mandamus puniendum.

[3] *The prior should study to be loved rather than feared.*

Item Bernardus prelatos quomodo se erga subditos habere debeant instruens dicit 'Studete magis amari quam metui, et si interdum correpcione opus sit, paterna sit, non tyrannica; matres fouendo, patres vos corrigendo exhibeatis, mansuescite, feritatem deponite, suspendite verbera, misericordie propinetis ubera.'³ Tibi igitur priori iniungimus et monemus quatenus tuos subditos instruas in verbo lenitatis considerans teipsum. Sit in caritate feruor que discrecionis temperamento moderetur, quatenus feruor discrecionem erigat et discrecio regat feruorem. Hoc pacto eris in illis tamquam vnus ex illis; feliciter profecto amicitia quam timore regna perseuerant.

[4] *The novices are to have a master to instruct them.*

Item cum ignorancia mater sit erroris, ea permaxime vitanda est, presertim quia per prophetam dicitur 'Quoniam tu sapientiam repulisti ego te repellam ne sacerdocio fungaris.'⁴ Et uti cecus in tenebris ambulans facile se in foueam precipitem dabit, ita qui sciencie lumen a se repellunt in erroris precipitium improuiso dilabuntur. Qui quoniam non habuerunt perierunt propter suam insipientiam. Non ab re igitur dominus Ottobonus apostolice sedis

¹ Matt. xi. 29.

² Heb. xiii. 17.

³ S. Bernardi in Cantica Sermo xxiii.

⁴ Osee iv. 6, which runs 'Quia tu scientiam repulisti'.

legatus,¹ regulas et constitutiones sanctorum patrum ad monasticam vitam pertinentes scribi, ac singulis annis bis perlegi, et in vulgari nouiciis exponi mandauit, eosque sic in ipsis instrui ut pene corde tenus retinerent. Nos igitur quod ab eo sic salubriter ordinatum est, iniungimus et mandamus studiosius obseruari, quodque² dicti nouicii magistrum habeant, qui intelligendo et legendo eos instruat, ne ex peruersa eorum lectura sint aliis in derisum, ac demum in matura etate positi ut discant rubore perfundantur, et ob defectum sapientie, que sapienda sunt minime sapere videantur.

[5] *Silence is to be observed at those times and places ordered in the rule.*

Item quia ex regula sancti Benedicti ac summorum pontificum auctoritate, in claustro, oratorio, aliisque locis deputatis, interdicta sunt colloquia, cum frequenter ex nimia loquendi licencia inutiles, infructuose et voluptuose confabulaciones oriantur, ac omissis oratione et contemplacione, humana persepe mens aduersario suggerente trahitur in vetitum; iniungimus et mandamus quatinus tam temporibus quam locis in dicta regula sancti Benedicti expressis, congruum silentium seruetur. Contra vero facientes post caritatum monicionem acriter puniantur.

[6] *Obedientiaries' accounts to be rendered annually.*

Item qui de bonorum communitatis administracione onus assumerunt tamquam boni administratores compotum reddere tenentur, ne forsan requisiti plus debito rationem reddere differentes, aut bona inutiliter consumpsisse, aut in proprios usus eadem detinuisse manifestis iudiciis credendum sit; vt igitur omnis sinistre suspicionis scrupulus³ amputetur, iuxta sanctorum patrum constitutiones in hac parte [fo. 59r] proinde latas, iniungimus et mandamus officarios quoscumque singulis annis eorum administracionis perfectum compotum reddere. Quod dummodo moniti non perfecerint ab ulteriori administracione dictorum officiorum donec integrum compotum reddiderint, eos decernimus remouendos, ac pena iuxta eorum demerita per nos infligenda puniendos. Quodque inuentaria de singulis officiis habeantur que in archivis ecclesie fidei custodia reponantur; debita singula et creditorum nomina in singulis compotis conscribantur, ex quibus verisimiliter status

¹ The whole of this injunction is based on the Constitutions of Ottobono, ch. 39 (Wilkins, *Concilia*, ii. 16).

² MS. *quodquod*.

³ MS. *scripulus*.

monasterii cognosci possit. Et quia monasterium vestrum satis constat non paruo ere alieno grauatum, iniungimus et mandamus vt quam cito comode fieri posset, omni diligencia exoneretur, vt euitentur scandala que ex longa dilacione verisimiliter poterunt generari.

[7] *All monks are to sleep in one dormitory, each in a separate bed.*

Item cum dicatur 'Ve soli, quia cum ceciderit non habet subleuantem',¹ et frequenter antiquus hostis sue malignitatis insidias in eos, quos solitarios inuenit, parat et exercet ac plerumque obruit et confundit, iniungimus et mandamus quatenus omnes commonachi in vno dormitorio dormiant, singulis personis singulis lectis assignatis.

[8] *Sick monks in the infirmary are to receive due care.*

Item quia circa infirmos humanitatis studium prebere caritas pietasque interpellunt, ne ex officarii negligencia prerapida morte fratres succumbant, iniungimus et mandamus quatenus prior qui nunc est, et qui pro tempore fuerit, suppriorque omnem operam et diligenciam circa infirmos adhibeant [et] frequenter eos visitent. Et si officium infirmarie gerentem tepidum et negligenter inuenerint ab officio eundem remoueant indilate.

[9] *How the prior must treat creditors of the house.*

Item si ad id vis rationis impellat vt bene merentibus grata reddantur obsequia, quoniam mutuis compensacionibus amicie firmanur, indignum est vt pro bono malum reddatur. Cum igitur te priorem² senserimus tuis creditoribus, quando eorum debita petitori conueniunt, rigide nimis et austere inflataque verba proferre eisdem, quo sit vt, tedio ducti, nil amplius monasterio concedere curant, et tempore necessitatis vrgente amicieam retrahant, ac totus conuentus preter egestatis malum infamiam paciatur; tibi igitur iniungimus et mandamus vt taliter aduenientes et quod suum est petentes, non sic erecto supercilio, iniuriosis verbis obiurges, sed dimisso vultu et mollibus verbis pertractes eosdem. Quod si de debito eis pro tunc respondere nequeas, te saltem eos benigniter tractante ad tui commodum gratis in alium differant³ diem.

¹ Eccles. iv. 10.

² The prior was Henry Peterborough. Elected prior 1462. He was afflicted with dumbness in 1477, and bro. John Soham was appointed his coadjutor by Bishop William Gray on 24 June 1478. He was allowed a pension of £40 per annum and a chamber in the infirmary. He died 10 August 1480. Lambeth Palace Library, MS. 448 fo. 90.

³ MS. *differat*.

[10] *It is said that certain men, breaking open the locked doors of the monastery, betake themselves to houses of ill-repute at night-time, and lodge suspect women in houses near to the convent.*

Accepimus ¹ insuper quod conuiuentibus oculis preterire nequimus in permaximum religionis scandalum, quod seras clausuras et ostia pro munimento monasterii ad securitatem tam monachorum quam rerum eorundem ordinata, quidam, animarum suarum salutem posthabentes, ipsa ostia infringunt, clausuras et seras destruunt, adeo, vt fertur, nedum ipsi ad inhonesta loca nocturno tempore se transferunt, verum suspectas mulieres ad eorum nepharios concubitus introducunt; quodque domos monasterio vicinas et monasterio pertinentes huiusmodi suspectis mulieribus locant in maximum scandalum ecclesie nostre cathedralis. Vt igitur sub honestatis regula et absque infamie nota hec nostra ecclesia cathedralis deinceps perseueret, iniungimus et mandamus quatenus tu prior suppriorque ² quamcito commode fieri poterit, pro ostio dormitorii et pro ostiis claustrii aliorumque locorum per que in ciuitatem via patens existit, et ³ presertim per vinetam et transitum qui ducit ad aquam, cere et cerure fiant competentes vt nullus ibidem transitus fiat, nisi officariis ad ipsa loca deputatis, vel de eorum scitu et mandato prioris vel supprioris. Contra vero facientes, pro qualibet vice semel in septimana in [fo. 59v] pane et aqua ieiunent. Ipsas vero ceras, ceruras vel ostia infringentes post monicionem publicam eis in genere in domo capitulari factam, eo facto excommunicatos decernimus, et in carceribus usque ad condignam satisfaccionem acriter puniendos. Quorum absolucionem ad nos vel priorem specialiter reseruemus. Preterea huiusmodi suspectas et infamatas mulieres, a prefatis domibus monasterio pertinentibus, per officarios ad quorum officia dicte domus pertinent, mandamus omni celeritate possibili remouendas. Quod si dicti officarii in huiusmodi admonicione negligentes extiterint, ab eorum officiis mandamus remouendos.

[11] *Two discreet monks to be appointed to repair the manors, granges, and chancels belonging to the priory.*

Item quam dampnosa sit in conseruandis domibus reparacionis negligencia ab his facile perpenditur qui emendandis domibus sumptus frequenter ebursant; quoniam quod modico ere possit

¹ MS. *Cupimus*.

² The construction of this sentence is faulty, but the sense is clear.

³ MS. inserts *per*.

in tempore confici, dilacionis incomodo dampnosa et persepe importabili reficitur expensa, aut plerumque diruitur vt refici non possit. Cum igitur oculata fide cognoscamus infra monasterium vestrum quam magnam ruinam iminere, nisi reparacionis ministerio celeriter adiuuetur, ac maneria, grangie, ecclesiarumque cancelli ad vos pertinentes non paruam paciuntur iacturam, et quorundam forsitan suasionibus quedam bene reparata dicuntur quibus opus est sumptu non modico, et sic inanibus verbis vos seducunt ad quos onus pertinet reparandi; iniungimus igitur et mandamus [ut] tam de his que ad manus sunt, quam de maneriis, grangiis et ecclesiarum cancellis ad vos pertinentibus, iuxta qualitatem officiariorum in quorum dispositione consistunt, quamcito comode poterit reparaciones fiant competentes. Et ne infectum pro facto, aut quod male actum sit persuadetur fieri peroptime, mandamus quod duo discreti prudentes, veritatem et timorem dei pre se ferentes, de confratribus vestris per capitulum deputandis, aut prior si per vos ad hoc assignatus fuerit, citra festum sancti Iohannis Baptiste proximum futurum, omnia maneria, grangias, et ecclesiarum cancellos ad vos pertinentes superuideant diligenter, et iuxta eorum veram estimacionem uti res se habet, omni fauore postposito, in eorum reventu in pleno capitulo ad hoc convocato declarent, vt sic, ex eorum assercione, que reformatione digna sunt reformatur, et qui in officio se bene gesserint de eorum meritis laudem capiant, male vero merentes rubore perfusi ab officio deponantur; hanc vero superuisionem pro statu nostri monasterii singulis trienniis ad minus volumus obseruari.

[12] *Indentures of leases to be prepared for all properties.*

Item quia ad hoc inuente sunt littere ne facta hominum deperirent, quoniam labilis est humana memoria, opus est contractus ad commodum monasterii initos scriptis demandari. Iniungimus eapropter et mandamus vt locaciones et arrendaciones maneriorum, grangiarum, rectoriarum, aliarumque domorum ad monasterium pertinentes, per officarios ad hoc deputatos in indenturis conscribantur, que et quantitatem summe et locacionis tempus cum omnibus aliis et singulis condicionibus ad dictam locacionem pertinentibus integre et plane in se contineant, quarum vna pars cum firmario et alia cum officario locante saluo custodiatur. Quod si officarium huiusmodi a suo officio remoueri contingat, statim et incontinenter huiusmodi indenturas si qui sint ad suum officium pertinentes, realiter et effectualiter ad officarium [fo. 6or] nouo

deputatum resignet et restituat. Quod si in mora restituendi fuerit, prima die in pane et potagio ieiunet, aliis vero diebus vsque ad plenam restitutionem, sua contumacia exigente, ieiunet pane et aqua.

[13] *Women are not to enter the cloister.*

Item Salamonem dicentem meminimus 'vinum et mulieres in apostasiam sapientes deducere',¹ quod cum ita sit, hec precipue cauende sunt et summa providencia vitande, quoniam sua mollicie trahunt in vetitum. Quosque maxime blandiuntur maxime seducunt. Cum igitur inter cetera loca claustrum sit orationi, leccioni et contemplacioni deputatum, quo animus in deo quiescere debet, hinc abigenda sunt omnia que a suo creatore² animam distrahere solent. Quamobrem omnis strepitus fugiendus, silentium seruandum, concursus mulierum summo opere inhibendus, que et oculum inficiunt et animam a sua perfeccione faciunt euagare. Super quo frequenti dolore concutimur, cernentes vestrum claustrum adeo patens et commune ac si esset via publica, et vix a mane ad vesperam mulieres absunt, et vt comperimus, assidue in manibus suos, ne dicam commonachorum paruulos ducunt. Quas cum non valent monachi pro libito visere, aut non audent donaria propter scandalum vitandum mittere, poma coram eis iacere solent, argento farcinata, vt vel sic sub specie honestatis blandiatur puero et matris inopia releuetur, fitque signum occultum de loco et tempore proximo congregiendi; huiusmodi maliciis occurrere volentes precipimus, iniungimus et mandamus quatinus illud ostium claustri quod ad infirmariam tendit clausum seruetur, et quod singuli commonachi ac seruiantes ad quos pertinet illo transire claues illius habeant, vt cum opportunum tempus transeundi propter eos affuerit, ostium aperire valeant et post eos claudere, et sic illa patens via extraneis obtrudatur, sub pena congrua, pro honestate nostre ecclesie cathedralis, per priorem et suppriorem seu alterum eorum merito infligenda, vt sic omnis sinistre suspicionis occasio euitetur. Quod si qui rebelles huic nostre iniunccioni parere noluerint, penam congruentem post trinam monicionem ad nos reseruamus eis infligendam.

[14] *Proper provision must be made for the entertainment of the relatives and friends of monks, when they visit them.*

Item ad hospitalitatem faciendam inuitant nos multa. Angelos enim hospicio persepe fuisse susceptos legimus et testimonio sancti

¹ Eccles. xix. 2.

² MS. creatori.

Iheronimi domus clericorum omnibus debent esse communes. Quoniam hospitalitatis pietas remunerationem habet temporalem et eternam, ex sententia apostoli dicentis ' Pietas utilis est ad omnes promissionem habens vite que nunc est pariter et eterne ' ¹; hec autem pietas, etsi ad omnes extendere se debeat, in propinquos tamen cognatos, domesticos, et amicos in primis exercenda. Cum igitur patres, matres, fratres, commonachorum consanguinei et amici, natura instigante ad eos visendi causa quandoque accedunt, locus adeundi non est infra monasterium, vt comperimus, deputatus, neque quicquam recreandi gratiam conceditur eisdem, sed pudore correpti eos in civitatem ducere coguntur, contra omnem honestatem ac ad eorum et ecclesie nostre infamiam. Qua propter de cetero iniungimus et mandamus vt pro huiusmodi hospitem suscepcione de aliquo loco provideatur honesto, presertim cum monachorum parentes consanguinei vel amici ad eos visitandos accesserint, et iuxta qualitatem et merita personarum secundum arbitrium presidentis, licencia prius ab eo petita et obtenta, disponatur honeste pro suscepcione eorundem, ne in ciuitatem vagandi detur occasio, et deterioris mali aliquid inde contingat.

Quas quidem iniuncciones constitutiones et moniciones ac mandata predicta, vobis priori et conuentui sub sigillo nostro transmittimus sigillatas, vt ea et eorum [fo. 60v] quodlibet, tu prior, quatenus ad te attinet in virtute obediencie qua nobis teneris in omni sui parte obserues, et a tuis subditis facias firmiter obseruari.

In cuius rei testimonium sigillum nostrum presentibus apponi fecimus. Data in palacio nostro Eliensis [*blank*] die mensis Ianuarii anno domini millesimo cccc^{mo} sexagesimo quinto, et nostre consecracionis anno xiii^{mo}.

¹ I Tim. iv. 8.

COMPERTA AND DETECTA IN A VISITATION
BY THE VICAR GENERAL OF ARCHBISHOP
WILLIAM WARHAM, SEDE VACANTE,
3 APRIL 1515¹

Comperta et detecta de quibus superius fit mencio talia sunt :

[1] *The prior is accused of maladministration of the manors in Suffolk and Cambridgeshire. He denies the accusation and has purged himself.*

In primis prior² dicte ecclesie cathedralis Eliensis male regit maneria diuersa existentes in comitatibus Suff' et Cantabr' ad suam administracionem spectantes. Et permittit domos et edificia ruere in defectum prioratus. Ad istum articulum prior respondit et negat articulum quoad ruinam maneriorum vel domorum. Inde se purgauit.

[2] *Accused of felling trees in Stetchworth park against the will of the brethren, the prior replies that he needed them for the repair of Shippea manor, where he could reside at less expense.*

Item prior prosterni fecit grossas arbores in parco de Stuechworth' pertinentes ad conuentum, et ipsas arbores asportari fecit et vendidit pro libito inordinato voluntatis sue, preter et contra voluntatem confratrum, non ad edificandum nec ad reparandum ad vtilitatem conuentus predicti. Prior respondit et dicit quod prosterni fecit huiusmodi arbores ad reparacionem manerii de Shippay, quod sibi ipsi esset assignatum,³ et videtur sibi quod si illum manerium sit bene reparatum cedit ad vtilitatem tocius conuentus,

¹ Lambeth Palace Library, Register of Archbishop William Warham, fo. 277r.

Bishop James Stanley died on 22 March 1514-5, and Master William Fayrhaer was appointed by commission to administer the vacant see on 24 March. He held this visitation on the 3rd April following.

² William Folliott 1515-6.

³ See above, p. 2.

eo quod prior ibi perhendinare potest modicum expendendo, quia locus est priuatus. Et dicit quod post prostracionem huiusmodi arborum capitulum ratificauit totum factum suum.

[3] *The prior is accused of using convent money to pay his own workmen and for paying the taxes on his own property. He replies that though his workmen received the convent's victuals, he paid them himself, and that the treasurer pays the tax for the whole priory in one payment.*

Item prior sustentat de bonis conuentus operarios suos laborantes in maneriis de Shippay et Underley, que asserit ad disposicionem suam separatim pertinere, et pro dictis maneriis non soluit decimas nec alias taxaciones regi vel pape factas, et imponit totum conuentui, in preiudicium conuentus. Prior respondit et dicit quod de communi huiusmodi operariis victualia inuenit, sed de propria camera soluit eis stipendia; quo ad solucionem taxacionum vel decimarum regi vel pape, dicit quod thesaurarius ecclesie sub vna solucione tam pro dictis maneriis quam pro aliis secundum taxacionem possessionum ecclesie soluit.

[4] *The prior is bound to have more secular priests than he has. He admits this.*

Item prior tenetur habere plures quam habet presbyteros seculares. Prior respondit et fatetur articulum, et dicit quod vnum habet et alium habere intendit quamcitus comode poterit. Item venerabilis vir vicarius in spiritualibus generalis iniunxit sibi quod provideret sibi de tot quot habere tenetur.

[5] *The almoner gives better food to his workmen than to the clerks whom he is bound to sustain. He denies the charge.*

Elemosinarius dat operariis et seruientibus de melioribus cibariis et potibus elemosinarie, et clericis qui ex illo officio deberent sustentari de debilioribus ministrat, et sic officium illud quo ad hoc pessime¹ gubernatur. Ad istum articulum respondit et negat articulum. Tamen si in aliquo deliquit submisit se gracie domini.

[6] *The ale supplied by the granator is not fit for pigs to drink. He denies it.*

Item in defectu garentarii communis seruisia est ita debilis quod porci ex ea non libenter biberent, et ob illam causam plures serui-

¹ MS. *posse*.

entes recesserunt. Garentarius negat articulum, sed si in aliquo deliquit submitit se gracie domini.

[7] *The granator has withdrawn the drink which the monks used to have in cloister after dinner. He denies that they ever had it, and the visitor rules that it should be supplied, rather than that they should send into the town for drink.*

Item idem garentarius potum subtrahit a claustralibus sedentibus post prandium¹ in claustro, qui deberent bibere cum indigerent. Respondit et dicit quod hucusque hoc tempore non solebant. Tamen si hoc placeret domino, promisit coram toto conuentu et capitulo se eis ministraturum vt petitur de poto in futuro; et dominus asseruit hoc honestius esse vt habeant de communi, quam in necessitate compulsi mitterent in villam pro potu ibidem habendo. Quibus . . . cetera desunt.

¹ MS. *prandia*.

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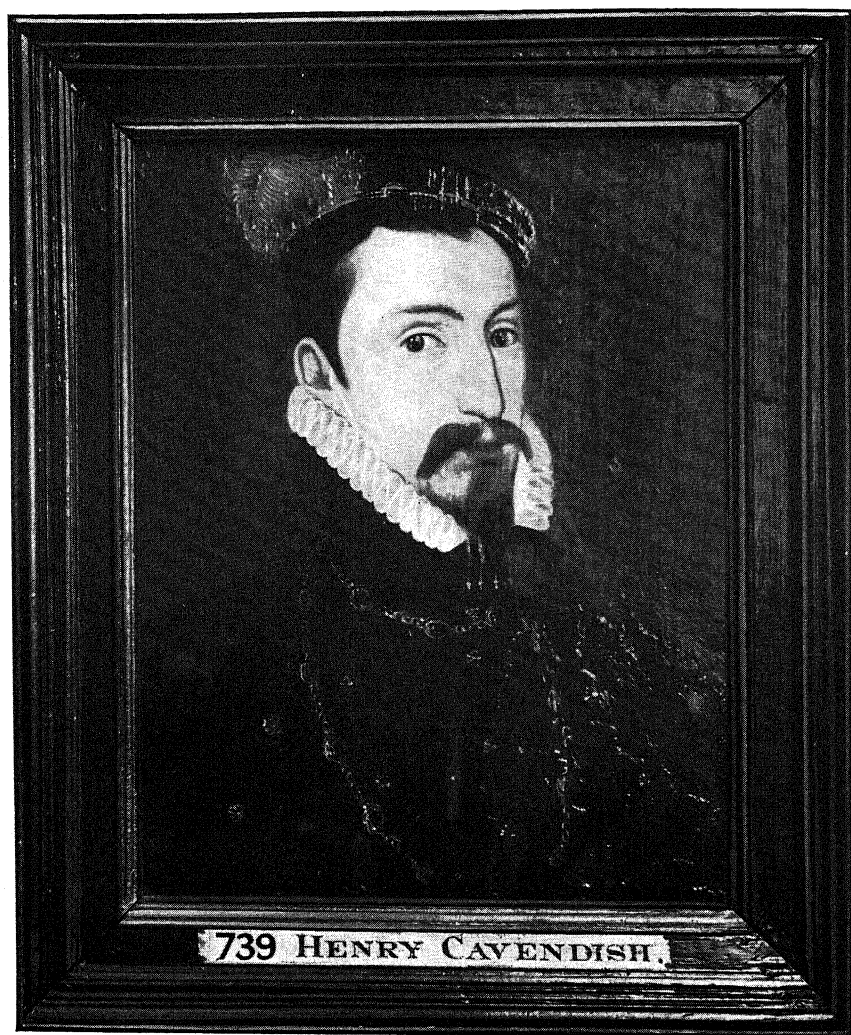
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MR. HARRIE CAVENDISH
HIS JOURNEY TO AND FROM
CONSTANTINOPLE 1589

BY FOX, HIS SERVANT

EDITED BY

A. C. WOOD,
M.A., F.R.Hist.S.

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*The illustration is reproduced by permission of his grace the duke of
Devonshire from a portrait of Henry Cavendish at Hardwick.*

INTRODUCTION

Henry Cavendish, whose journey to Constantinople is narrated in the following manuscript, was the eldest son of Sir William Cavendish¹ and his third wife, Elizabeth Hardwick,² the celebrated 'Bess of Hardwick', who subsequently married, as her fourth husband, George Talbot, sixth earl of Shrewsbury.³ According to Sir William's notebook, now at Welbeck, Henry was born on Tuesday, 17 December 1550, at midnight, and an illustrious array stood sponsors for him at the font. His godmother was the Lady Elizabeth, later to be queen of England, while his two godfathers were Henry Grey, marquis of Dorset, the father of Lady Jane Grey, and John Dudley, Lord Warwick, subsequently duke of Northumberland, whose career dominated the reign of Edward VI.⁴

When he was just over four years of age (April 1555) Henry himself stood as godfather for his own infant sister Elizabeth, who was destined to marry Charles Stuart, earl of Lennox, and become the mother of Arabella Stuart.⁵ Two years later Lady Cavendish took the boy with her when she was summoned from Chatsworth to her husband's deathbed in London.⁶ For the next ten years his history is a blank. He does not appear to have been at either of the universities, but he was admitted to Gray's Inn in 1567.⁷ The following year his mother married the earl of Shrewsbury, and to cement the alliance she insisted upon two further matches between their respective children. Her daughter Mary Cavendish became the wife of Gilbert Talbot, Shrewsbury's second son and eventual heir, while Henry Cavendish was married at Sheffield on 9 February 1568 to Lady Grace Talbot, the earl's daughter.⁸ His father had acquired the site of the Benedictine

¹ 1505?-1557. His life is in the *D.N.B.*

² 1518?-1608. Her life is in the *D.N.B.*

³ 1528?-1590.

⁴ *Journal of the Derbyshire Archaeological Society*, 1907, p. 92.

⁵ *Ibid.*, p. 94.

⁶ Sir William died 25 October 1557.

⁷ Register, p. 37.

⁸ J. Hunter, *Hallamshire*, p. 84.

priory in Tutbury, Staffordshire, and it was here that the young bridegroom and his wife settled, and lived for most of their lives. His parliamentary career began when he was returned as a knight of the shire for Derbyshire in 1572, the first of six consecutive such elections,¹ but there is no evidence that he played more than a minor part at Westminster.²

His character was typically Elizabethan, fiery, turbulent, and adventurous; and his early married years were stormy ones. Twice he or his servants were involved in homicidal affrays, one of which was sufficiently serious to call for the intervention of the privy council, who instructed Lord Paget and other local notables to inquire into it.³ He kept minstrels, loved horses, and found it desirable on one occasion to assure his mother that rumour erred in asserting that a visit he had made to London was only 'to play at dyse'.⁴ In 1578 he resolved, as did so many young Englishmen in the next fifty years, to help the Dutch in their struggle with Spain, and he seems to have been mainly instrumental in raising and equipping the levies sent over to the Low Countries in that year. Walsingham introduced him to William Davison, the English agent in the Netherlands, as one who 'being well affected to the common cause and having a special devotion towards the Prince carries over with him 500 or 600 men to be employed in the service of the States'.⁵ The Spanish ambassador, in his reports, added that the troops were to slip over to Flanders quietly, pretending that they were not sent or paid by the queen, but by Cavendish 'who is a rich young man, but is not a soldier and knows nothing of war'. He had bought great quantities of arms, which had been packed like bales of merchandise, and £1000 worth of powder for the expedition.⁶ Even so, he arrived insufficiently provided, and Davison had to use his credit to support him. At first he commanded one of the regiments taken over with the title of captain, but by July 1578 he had been raised to the rank of

¹ 1572, 1584, 1586, 1588-9, 1592-3, 1597.

² I have only been able to find two references to his work in parliament. He is mentioned as being on a committee of the house in March 1575 (*Journals of the House of Commons*, i. 110), and again in Dec. 1584. (Simonds D'Ewes, *Journals of all the parliaments during the reign of Queen Elizabeth*, p. 340.)

³ Hunter, *op. cit.*, pp. 110-11; *Acts of the Privy Council*, 1571-3, p. 335.

⁴ F. Bickley, *The Cavendish Family*, p. 36; Hunter, *op. cit.*, p. 118.

⁵ I.e., William the Silent. *Cal. S.P. Foreign*, 1577-8, p. 623.

⁶ *Cal. S.P. Spanish*, 1568-79, p. 577.

colonel.¹ Of his service, or its duration, nothing is known. Possibly he was present with his regiment in a brush with the Spaniards at Aerschot in July 1578 when his lieutenant-colonel 'behaved so that Caesar's could have done no better'.² He must have made some impression on the Spanish, for in 1586 when his distant relative, Thomas Cavendish, was preparing his great expedition which was to circumnavigate the globe Bernardino de Mendoza reported to King Philip, by pardonable error, that its leader was to be 'Sir Harry Cavendish, son of the countess of Shrewsbury', who had 'served as a colonel of the Flemish rebels in the time of Don John'.³

After 1578 the curtain falls again for several years, and the next references to Cavendish come from the period 1584-5 during which for varying intermittent visits Mary Queen of Scots was held in custody at Tutbury Castle, immediately adjacent to the priory where he was living. His brewhouse was requisitioned to provide beer for the household of the royal captive and her gaolers. Sir Ralph Sadler and Sir Amias Poulet suspected that the inmates of the priory were too favourably disposed towards the imprisoned queen, and that she might smuggle letters out by their agency. Suspicion fell especially on Henry's wife, Grace Talbot, who was 'of old acquaintance with the Queen and with all her retinue'.⁴

1589 was filled by the journey to Constantinople which is here recorded.⁵ It was an expedition which seems to have been as remarkable for careful planning as for the precision and speed with which it was carried out. Writing to her mother-in-law, the dowager countess of Shrewsbury, on 27 June 1589 Henry's wife expressed the hope that he had by then reached his destination, 'For by a nott he left wyth me at hys goinge of hys days jurneys (wherin he hath altered but on day as appeareth by hys letters) he was at Constantinople the XX of thys month.'⁶ From the

¹ *Cal. S.P. Foreign*, 1577-8, p. 589; 1578-9, p. 96; Sidney, *Letters and Memorials of State*, edited by A. Collins, i. 266.

² *Cal. S.P. Foreign*, 1578-9, p. 115.

³ *Cal. S.P. Spanish*, 1580-6, p. 578. Don John of Austria was governor of the Netherlands for Spain 1576-8.

⁴ *State papers and letters of Sir Ralph Sadler*, ii. 439, 490-1; Sir Amias Poulet, *Letter books*, edited by John Morris, p. 67; *Cal. of Scottish Papers*, 1584-5, p. 407; 1585-6, pp. 24-5, 182.

⁵ Apart from the brief record in Hakluyt of the journey of Henry Austell, who, in 1586, traversed almost the same route as Cavendish, Fox's narrative is the earliest account known to me of a journey overland to Constantinople and back made by an Englishman.

⁶ Hunter, *op. cit.*, p. 119. He reached Constantinople on 16 June.

shortness of their stay in Turkey it is reasonable to suppose that his friend Mallory went out on business of some kind and that Cavendish accompanied him simply for the experience and adventure of the journey. Mallory's name does not appear as a member of the newly-formed Levant Company in any of its first three charters,¹ but it is none the less probable that he was a London merchant who had some interest in the Turkey trade.² The letters of Edward Barton, the English resident at Constantinople,³ show that he was also an agent of Walsingham and carried out dispatches from the secretary of state. 'The bringer of Your Ho. Lre, Mr. Richarde Mallorye arrivinge here the 16 of this p'nte,' Barton wrote to Walsingham on 27 June, 'I have receaved and enter-tayned accordinge to Your Honour's order though not worthilye to his comferte, beinge himselfe a curteous gentleman and especiallye recommended from Your Honour to whome I owe all loyall service, but as this barbarous countrie would permitt.'⁴ Cavendish and his servants must have stayed with the Genoese resident because Barton had not the necessary accommodation to receive the whole party.

Travel did not sober Cavendish's high spirits, for in 1592 he was again in trouble with the privy council, and was obliged to repair to London to answer the charges against him. These arose from a complaint of his neighbour, William Agard of Foston,⁵ 'of sondrie foule abuses and outrages comytted by Henrie Cavendishe esquire, his servants and folowers in assaulting and putting the said Agard, his servantes and tenantes in great fear and daunger of their lives'. In the end the matter was referred to the earls of Shrewsbury and Essex, and they bound the two combatants to keep the peace.⁶

Meanwhile Henry's relations with his mother were steadily deteriorating. Imperious and grasping by temperament, and possessed of the accumulated spoils of four opulent husbands, the dowager countess of Shrewsbury can never have been an easy parent for her grown-up sons to live and work with (or, more precisely, under) harmoniously, but between her and the eldest of

¹ 1581, 1592, 1600.

² A Richard Mallarie 'sometime a merchant' is mentioned in 1599 as being involved in a scheme for making counterfeit dollars in Turkey. *Cal. S.P. Dom.*, 1598-1601, p. 249.

³ Agent 1588 to 1591 or 1593; ambassador 1591 (or 1593) to 1597.

⁴ S.P. 97*i*. fo. 172.

⁵ Appletree Hundred, Derbyshire. It is near to Tutbury.

⁶ *Acts of the Privy Council* 1591-2, pp. 463-4, 510-11, 518-19.

them there were special causes of friction. All her life she seems to have displayed a strong partiality for her second son William,¹ which would naturally be resented by his elder brother, and in the bitter feuds about lands and money which poisoned the married life of Shrewsbury and the countess, and continued after the earl's death between the widow and his heirs, Henry Cavendish sided with the Talbots against his mother.² Because of this the countess ejected him from Chatsworth in 1584, although it had been left to him under his father's will, and he did not secure possession of it again until his formidable parent died in 1608.³ The fifties produced a new source of friction which brought matters to an open rupture. Since the deaths of her father and mother⁴ Arabella Stuart, their only child, had been brought up by her grandmother, the countess of Shrewsbury. Through Lennox she was of the blood royal,⁵ and as the uncertainties of the succession to the throne loomed larger each year under the ageing Elizabeth, the young Arabella was drawn into the web of intrigue which began to be woven around this vital issue. Catholic plotters cast an eye upon her as a possible candidate for the throne, and various marriage projects centred round her, including one with the Seymour family, which also descended from the royal line through Mary Tudor, the favourite sister of King Henry VIII. These circumstances, a natural desire to stand well with the old queen who was likely to be ruthless against any conspiracy involving the succession, and her own masterful possessive character which grew more domineering as the years gathered, all combined to make the countess keep an increasingly vigilant eye upon her granddaughter, until the girl became almost as much a prisoner as the queen of Scots had been twenty years before. Naturally she wished to escape from this oppressive custody, and her Uncle Henry sympathised and did his best to help. He not only knew of her clandestine negotiations with the Seymours for a marriage alliance, but even lent horses to her messengers. In December 1602 the plan came at length to the ears of the privy council. With surprising leniency the queen sent instructions that although Arabella was to be kept

¹ 1551-1626, created Lord Cavendish 1605, earl of Devonshire 1618.

² Bickley, *op. cit.*, p. 27.

³ E. Cooper, *Life and letters of Arabella Stuart*, i. 85; ii. 77. Bickley, *op. cit.*, p. 38.

⁴ Lennox died in 1576 and Elizabeth Cavendish in 1581-2.

⁵ His grandmother was Margaret Tudor, daughter of King Henry VII, who had married (1) James IV of Scotland, and (2) the earl of Angus.

under close surveillance there was to be no restraint, and she might ride or walk as usual. But the countess, doubtless annoyed by the deceit practised against her, proved harsher than her sovereign, and the culprit was strictly confined in Hardwick. To liberate her Henry Cavendish and a Yorkshire papist named Stapleton hatched an abduction plot. About forty men were collected in small groups around Hardwick, one of whom had a 'little pillion behind his horse' in readiness for the lady; but suspicion was aroused, and when Arabella tried to pass out of the gates of Hardwick she was persuaded or forced to return. The conspirators thus looked in vain for her from the steeple of Hucknall church. At length Henry and Stapleton went to the house and asked to see her. Uncle and niece then tried to go out together, but the countess firmly refused to permit it, and in the end the two men had to depart alone. The infuriated gaoler at once dispatched a heated account of the attempt to the privy council, and Cavendish was ordered to London to explain his conduct. Fortunately for him Queen Elizabeth died at this point, and the question of the succession, which had made Arabella an object of anxiety to the authorities, was settled by the peaceful accession of James I.¹ Henry thus escaped from what might have been a perilous situation if the old queen's suspicions had been aroused; but his mother's rage was unforgiving, and it was now that she added the codicil to her will revoking all her bequests to him.² Sir Robert Cecil, who was a friend of his, wrote to plead for him, but even his influential advocacy failed to mollify the feelings of the countess towards her 'unnatural son' and his 'undutiful and unnatural dealings';³ and it seems that no reconciliation ever took place between them.

A few months after the Hardwick incident the alleged plot of Lord Cobham and Sir Walter Raleigh to depose King James and place Arabella Stuart on the throne was discovered. Henry Cavendish's name must have been mentioned by the prisoners in their confessions, for he was again ordered to attend in London. But there was clearly no real case against him, and Sir Robert

¹ The attempt to rescue Arabella was made on 10 March and Elizabeth died 24 March. For the whole episode see H.M.C., *Salisbury*, xii. 583-7, 689-93; Bradley, *Arabella Stuart*, i. 150-4; ii. 172-5.

² Bickley, *op. cit.*, p. 31; Cooper, *Life and letters of Arabella Stuart*, ii. 78. The will is printed in A. Collins, *Historical collections of noble families*, pp. 15-18.

³ See her letter to Cecil in H.M.C., *Salisbury*, xv. 44-5.

Cecil told the earl of Shrewsbury that, though it was necessary to examine Cavendish 'I dare warrant he shall have no harme for any waight the matter is of'.¹ So it proved. No charge was levied against him, and he retired to Tutbury where he continued to live until, on the death of his mother in 1608, he at length secured possession of Chatsworth. These closing years of his life were darkened by disputes over their property with his brother William, to whom, however, he agreed, or was obliged, in 1610 to sell the reversion of Chatsworth and most of his lands.² He died 12 October 1616, and was buried at Edensor, Derbyshire, where his monument still survives. As he had no legitimate children much of his estate, to the value of £4000 per annum it was said,³ reverted to his brother William, Lord Cavendish. He had, however, four illegitimate sons, and from Henry, the eldest of these, to whom he left an estate at Doveridge, Derbyshire, are descended the Lords Waterpark.

Of his servant Fox, who wrote this account of the journey to Turkey and back, nothing is known save what the manuscript itself reveals. He was clearly a man of limited education, whose range of interests, like his vocabulary, was narrow, but for all that it is an attractive—and typically English—character which peeps through the pages of the journal. Behind a stolidity which was apparently impervious to the appeals of nature or art he betrays a dogged good-humoured patience, sound protestantism, a decent moral sense, and a countryman's keen eye for the soil and its character. The impression left is that of a man severely practical, clean in principle, and with the capacity to see humour even in his own misfortunes, who probably returned to his midland home after the great adventure with his instinctive conviction unshakably confirmed that Elizabethan England was the best place in the world wherein to live. The manuscript which he wrote—a thin folio measuring 8 by 12 inches—was until recently at Hardwick, but it is now preserved at Chatsworth. Its orthography is reproduced here, but I have given capitals to place-names which he did not so dignify, and have indicated in the text the original pagination of the manuscript.

In order to economise space it has been necessary to omit the itinerary which, in the manuscript, precedes the account of the

¹ Bradley, *Arabella Stuart*, i. 177-80; E. Lodge, *Illustrations of British history*, iii. 205-6.

² Bickley, *op. cit.*, pp. 38, 61-3; Lodge, *op. cit.*, iii. 351-3, 364-5.

³ *Cal. S.P. Dom.*, 1611-18, p. 426.

journey. This itinerary contains in tabular form, and with the relevant dates, a list of all the places at which the travellers stopped. It thus summarises information which is repeated in the text of the manuscript, and its chief value lies in the glimpses which some sections of it give of the conditions of travel in the Turkish Empire at that time. The following short extract of part of the travellers' journey from Ragusa to Sofia will serve to illustrate its character :

- | | | |
|------|-----|--|
| May | 25. | Thys nyght in a hen roost. |
| | 26. | Thys nyght on benches in our draggaman's father's house. |
| | 27. | Thys nyght in a cart by a peasant's house. |
| | 28. | Thys nyght we gott good stor of hay and lay lyke kynges. |
| | 30. | Thys nyght we lay in a peasant's house upon the ground. |
| | 31. | And thys nyght over agaynst Pyrott on the ground. |
| June | 1. | Thys nyght in a peasant house |
| | 2. | Thys nyght at Sophya. |

I am indebted and most grateful to his grace the duke of Devonshire for his permission to transcribe and publish the manuscript. Mr. Francis Thompson, the librarian at Chatsworth, kindly agreed to lodge it for a period in the library of the University College, Nottingham, so that my task might be made easier and more convenient. From Professor Franz Babinger of Bucharest, Professor E. Bleich of the Historische Gesellschaft, Berlin, the librarian of the University Library of Lwów, and Professor Janko Lavrin of the University College, Nottingham, I have received very valuable aid in identifying the more obscure places mentioned in the text, and other information on historical points which has been most helpful. Throughout my work Mr. G. Ellis Flack, the librarian of the University College, Nottingham, has done all in his power to assist me.

but between Lunyngburg and thys Gefhorne, whych ys xlviii myles, ther was not a gentellman's house. Between Gefhorne and Brunswewe is iiii Duche myles. We cam to Brunswek about iii of the clock. Thys Brunswewe is a great cyty and veary strong, wyth fayr wales and many wyndmyls within the wales. Thys cyty is of ane ould buylding but veary strong and ryche.

At Brunswewe we hyred wagons to Nuryngburg¹ for xxxiii dollars apeece and sett forward the next day being the xith of Apryll towards Nuryngburg, the whyche ys fyfty Duche myles and ii hundred Inglysh myles. Our fyrst bait was at the end of iii Duche myles and a half thorow a fayr chappran² contry. At our bayt we entred into the byshoppryck of Halberstatt³ and cam to the cyty of Halberstat about vi of the clock, wher havynge taken up our lodging we went to se the town, wher ther was but veary lyttell worthe the noting. The Cathedrall therofe was richely furnyshed acordyng to the Papysts' manner, and ther be iiii other churches for Lutherans. Thys towne ys the chief sea of the bishop; but between our bayt and the cyty we came by a fayr castell of the Duke of Brunswewe. The name of the house ys Hessarn.⁴ The byshop of thys dyoces was then a yonger brother to the Duke of Brunswewe.⁵

[fo. 3] The next mornynge about vi Inglyshe myles beyond Halberstat we past by a fayr town the name whereof I know not, but in the hyghest part of the towne ther ys a veary statly house of the Duke of Saxone. Thys day befor we cam to our bayght we past by a fayr castell of the Grave van Mansfelde called Saynburg.⁶ Thys day we bayted at Annsted,⁷ a foule ould towne. Being past that we entered into the land van Manesfeld and thorow the toune of Mansfeld wher the count hathe a veary beautifull castell. At thys plac the county Mansfeld hathe a sylver worke. The stones be veary lyke unto our Inglyshe slate. Thys day we travelled viii Duche myles and lodged at Sangerhusen,⁸ a great ruinus toune belonging to the Duke of Saxon. About thys towne therbe many vyneyards whyche makes a small hard whyt wyn.

The next mornynge we sett forward towards Erford⁹ and bayted

¹ Nuremburg.

² Champaign(?)—level open country.

³ Halberstadt.

⁴ Hessen.

⁵ The duke was Henry Julius who died in 1613. His brother Philip Sigismund was bishop of Verden, and his younger son, Christian (probably the prelate referred to here), was bishop of Halberstadt (died 1626).

⁶ Seeburg.

⁷ Arnstedt near Hettstedt.

⁸ Sangerhausen.

⁹ Erfurt.

by the waye at Wyzenze.¹ Thys contry belongs to the Duke of Saxon and ys veary well furnyshed or stored wyth great vynyards, some ii myles long and some more. In the fornoon of thys day we past by iii of the Duke of Saxone houses wherof that in Wyzenze was a fayr castell.

Abot vi of the clock we entred Erfort, a great ould cyty the whyche ys of ii sygnyoryes and of ii relygyons. That part that belongs to the byshope of Menc be Catholykes and the other part be Lutherens.

[fo. 4] At thys toune of Erford we wear shewed ane ould cloyster whyche in ould tyme mayntayed fyfty monkes, but now ther be but ten. In thys cloyster ther ys ane ould chappell in the whyche we wear sheawed a toome of one man lying by ii women whyche was the toome of ane earl of that land who being taken prysonar by the Sarysones after long imprysonment obtayned the love of a lady of that land by whose means he obtayned lyberty and retorned into Jarmany brynging hys heathen wyfe wyth hym, wher hys Jarmayn lady receaved them bothe lovyngly and so was alowed by the byshop of Menc to enjoy them both. Hys Jarmayn wyfe was black and hard favoured but bore hym many chyldren ; hys heathen wyfe was fayr but bore no chyldren. Thus lyvyng till death wear buried in thys chappell wher the memoryall of them contyneweth to thys day.² At thys toune they have a great trad of making wyne and sellyng of hopes. At thys toune we rested one day whyche was the xiiiith of Apryll.

One the morow being the xvth of Apryll we sett forward toward Nuryngburg whyche was to be donne in iiij dayes. About vi Inglyshe myles past Erford we past thorow Rycarhusen, and being ii myles past that we past thorow a fayr walled toune called Ormstat.³ In thys toune the Heayr van Swarsenburg⁴ hath a veary beawtyfull house, and being past thys we entred into a veary hard hylly contry full of great woods called fyr wood.

[fo. 5] Thys day we went iiij Duche myles to our bayt and wear about vii oures in going of them the half wherof we contynewed in a veary narrow valley between ii hyles, and that hyll whych laye towards the sonne was full of vynyards for the space of vii or viii

¹ Waissensee.

² This tale, associated with count Ernest III of Gleichen, who was supposed to have gone on crusade in 1288, has no historical foundation. The monument mentioned here was moved from the chapel of the Peterskloster to the cathedral of Erfurt in the nineteenth century.

³ Arnstadt.

⁴ Schwarzburg.

myles. Thys day we bayted at Illmanow,¹ ane ould foull toun that stands among the mountaynes in the land van Duryng² and belongs to the Duches of Hennyngburg. Thys Duches ys syster to the Duke of Lunyngburg.³ Thys Duches hathe a sylver work at thys toun. Being past thys toun we entred a veary foule wood all of fyr ; yt lasted but ii Duche myles, but we wear all the afternoone in going of yt. Whyle we traveled in the playn contry we had extream hot weather, but all the tyme of being in the wood yt was veary could and the snow veary deepe. At vii of the clock we cam to our lodging at a vyallag in thys wood called Frounvalt⁴ wher we had good lodging and our meat the best drest that we had in any part of Jarmany, and the mannerlyest ostyle [hostry?]. On the morow about v of the clock we sett forward and by ten we wear gotten out of thys uncomfortable wood in the whych we spent ix ours and saw noe beast nor cattell nor feathered foule more than a leash⁵ of hyndes and one poore cuccow.

At vi of the clock we cam to Isfeld,⁶ a toune belonging to the Hear van Cowbeck.⁷ Yt ys in the land van Francn. At thys toune the Hear hathe a sylver work ; and at nyght we lay at the toune of Cowbeck, the whych ys a veary fayr toune of good buyldyng and hath excedyng fayr churches in yt. The Hear hym self dwelleth at thys toune.

[fo. 6] Thys Hear ys ane absolute prync in that plac and maryed a kynswoman of hys owne whych was of the house of Saxon. At thys toune ther wear ii weddynges that day that we came in and one of them was nere unto our lodging wher they wear so merry that yf they had byn in England they would have byn accounted rude dronkards, for yf the brydesgroom took hys drynk as frely as hys frends the poor bryd had but small comfort of hym that nyght.

So the next mornynge we left them, God geve them joye, and bayted at Rottelldorf,⁸ iii Duche myles from thenc to Bamberg wher we lay that nyght, a veary fayr great toun governed by a byshop called the byshop of Bamberg.⁹ Bothe byshop and toun be all Catholykes. The next day about x of the clock we past thorow a veary fyne toune called Forcayme.¹⁰ In thys toune

¹ Ilmenau.

² Thüringen.

³ The Henneburgs were counts and not dukes. The last count, George Ernest, who died in 1582, had married Elizabeth, daughter of the duke of Brunswick-Lüneburg.

⁴ Frauenwald.

⁵ A set of three.

⁶ Eisfeld.

⁷ Coburg.

⁸ Rattelsdorf.

⁹ Bamberg.

¹⁰ Forchheim.

Pontyous Pylat was borne. Ther neyghboures do scoud¹ of them and say when any dye at Forcayme they go presently to the devill to ther contryman, Pontyous Pylat. Thys day we travelled ix Duche myles and lodged at Nuryngburg. Nuryngburg ys a veary fayr cytty and a fre stat. They acknoledg noe magestrat but God and the Empyror. In thys cytty ther be many veary fayr churches all Lutherens, and the most beautyfull cundytt that we yet saw, our fayr cundytes in London be but symple thynges in comparyson, so that the towne ys buylt all of fayre stone. The stretes be veary brod and fynly kept.

[fo. 7] Nuryngburg stands in a veary sandy contry. Yt ys fynly walled but not so strong as many other cyttes be. The contry about yt ys full of woodes all of fyr in whyche woods ther be great store of red dere. The tres belong to the cytty but the soyle and the dere belong to the Marquys of Brandenburg. At thys town we wear well lodged and we had good fare, our meat well drest and good store of wyne though not veary good, and payd but vis. viii*l*. a meale for every man.

At thys toune we hyred one wagon to cary vii persons to Ausburg² and payd xviii dollars for xviii Duche myles. Uppon Sunday the xxth of Aprill we sett forward at ii of the clock and lay at Rott,³ from thenc to Wyse⁴ wher we bayted and that nyght to Donywart⁵ whyche stands nere unto Danubys, a toune not great but a veary fayr fyne toune inferyor to no dry toune that we yet saw; but befor we came to Donywart by a Duche myle we past by a veary fayr abby called Caysam Abby.⁶ The abby and toune be of the terytory of Sweacya or Sweavya.⁷ Thys abby ys at the least half a myle about within the wales, sytuat in a contry of great plenty of woods one the one syde, and good corn land and fayr meadowes one the other syd, and betwen bothe veary fayr fyshe ponds and a myll, ther orchards and gardyns compayrable to any noble man.

At thys toune of Donywart the women wear bootes, all savyng the fynest sort, and they wear whyt buskynes made wythe a vampy⁸ of black leather [fo. 8] fynly sett in lyke a pyn or pantable.⁹ In these parts the poorest sort of men when they goe ether to the churche ore to a markett toune wyll have a feather in hys hatt

¹ I e. scold.

² Augsburg.

³ Roth.

⁴ Weissenburg.

⁵ Donauwörth.

⁶ Kaisheim.

⁷ Suebia.

⁸ The part of a boot or shoe covering the front of the foot.

⁹ Pyn = pyne = jack, a coat of quilted leather. Pantable = pantofle, a slipper.

and a sword. About ii Duche myles beyond Donywart we past by a veary fayr house standyng uppon the syde of a hyll nere unto a fayr valley. We toke yt to have byn the house of some great prync, but havyng demanded whose yt was yt was answered that yt was a cloyster of nunes, the number fyfty. Ther lyvyng was sayd to be great and that they had muche geven them from Hys Holyness, I meane the Pope of Roome. As we drew nere unto Ausburg we past by many fayr howses whyche wear the houses of the Fullkers¹ of Ausberg.

About iiiii of the clock one the xxiith of Aprill we came to the cytty, the whyche ys a fre stat of yt self and a plac of great beawty, the most beawtyfullest that we yett cam thorow. That nyght we wear sheawed a fayr house of one of the Fullkers and havyng sene the roomes whyche wear bothe fayr and costly, we wear taken into a fayr orchard whearin ther wear iii fountaynes of severall facyons. The fyrst that cam to our vew was iiiii squar about the bygness of the well at Buckstones,² yt had a wale and rayle round about yt as hygh as the brest of a man, the botham fynly gravelled by art, wherin ther was great stor of fyshe. Uppon the top of the wale round about the same wear dyvers lyones plast from whose mouthes the water issued wyth a devyc [fo. 9] to turn them to make the water spurt either into the fount ore to the land. Ther wear many other issues sett round about yt below and those sprang just upryght.

The second, whyche was a thyng of muche more cost, was syx squar, every squar seaven paces and at every corner a flour in facyon lyke a lylly. These floures wear of iron. Every flour had iii issues decendyng into the fount and in every one of these syx squares wear iii pypes whych sprang upryght, and in the myddest of the fount up to the wast in the water stood Venus wyth her hands dysplayd, and in either hand a flour wyth iii issues and uppon her head a croun wyth ten bosses, and out of every one of them ane issue wyche sprang upryght, and great store of fyshe in yt. Thys found was covered wyth copper and the goddes Venus neaver stood styll but contynewally turned from the ryght hand to the left. For thys found ther was made ii great men in brass to be sett uppon the tope of yt.

The thyrd was but a smale thyng but of more cost. Yt was in manner of a sundyll in heagthe from the ground to the boule a

¹ I.e. Fuggers, the famous merchant and banking family of Augsburg.

² Buxton, Derbyshire.

yard and a half and the boule a yard and a half brode, and in the myddest whereof stood Actyon in the form of ane hart made in fyne brass, who for desyring to see that whyche was not fytt for Actyon to se was turned into thys shape of ane hart, the whyche he folowed in chase wythe hys hounds and huntsmen. Out of the mouthe of thys hart [fo. 10] and all other partes of hym wear issues of water, every tyme of hys head and every other part of hym that could be devysed had lykwys issues. Hys man that bare hys gunne shot water, the falkner that bear hys fauk,¹ bothe man and fauk, breathed water, the huntsman blew water from hys horne, the other men houlding up ther handes seeming to lament the mysfortune of ther master the water sprang out at the endes of ther fyngers and thumbes, hys hounds bothe breathed and pyst water, and contynewally thys beast, the man, the houndes dyd contynually move.

The next day we wear shewed ane other house of the Fulkers whyche myght searve the greatest prync of Jarmany bothe for largnesse and costly furnytüre. The great chamber was hanged wythe viii peecys of arras, every pese cost a thowsand dollars. The devyc of the story was the French wars. Ther was at ether end of thys chamber ii veary great devyses for candellstyckes rychely gylt with fyne gould and other cullers. The roofe of thys chamber was curiously paynted wythe dyvers cullers and rychely furnyshed with fyne pyctures and paved wyth fyne marble. Thys house in dyvers places standes uppon pyllers of marble. Therbe many fayr tables of stone, one of them was inlayd wythe stone of dyvers cullers, and the whole house covered wyth copper. From thenc we wear taken to the artyllary gardyn, a plac for pleasur. No prync in Jarmany hathe the lyke for shuting in crosbowes, muskets, and buts to shut at, and a fayr court for the balloun,² wythe banqueting howses full of costly pyctures. [fo. 11] From thenc to ther water myles wythe wyche the cytty ys served of water.

In thys cytty therbe many fayr fountes whyche doe run contynually into great cestornes.

Therbe many fayr churches but the Colledg of the Jesuites ys the most beawtyfullest. At thys plac we wear at a great weding wher the most part of the States wythe ther wyves and daughters wear, but neaver a fayr well favoured woman among them for all ther whyt buskyns.

¹ Falcon.

² A game played with a large ball, something like football.

At thys toune we hyred horses to Venys ¹ for xvii crounes a horse and the postmaster or curayer to fynd and bear all chargys bothe for horse and men to Vennys whyche ys 240 myles.

At thys plac ther was a good fellowly man that had the Italian tong that kept my master company all the tyme of our being ther. Hys nam ys Moor.

As sone as we had taken up our lodging a servant of the house cam to us wythe inck and paper to take our names and of what natyon, the whyche wear presently caryed to the magistrates of the cytty. Thys done we cald for supper and fell to yt wythe good stomakes, and being about the myddest of our supper ther entred into the chamber vii men wherof vi of them had the lyvery of the cytty whyche was a long garment half black and half redd, and the man that came formost and syngell by hym self semed to be a man of mor creadytt then the other syx wear for they marched by ii and ii togeather. [fo. 12] The syngle man had a great pott of wyn in hys hand and the other syx in ether hand a pott, so these xiii potes being sett doun uppon the ground in the myddest of the roome you may suppose that they mad a fayr shew for every pott was full half a yard hygh and full of good wyne. Thys was a presen sent from the lords of the cytty, the whyche my master receaved thankfully and we drank the wyn meryly, but the grave man was not so drunk but that he could tak my master by that hand whyche had ii dollers in yt.

Uppon the xxiiiith we sett forward towards Venys and lodged at Lansburgh, ² vi Duche myles of, a fayr walled toune. At thys plac we sawe water workes of ii sortes, the fyrst was a myll that saed tymber unsquared, the seacond myll bored holes quyt thorow long peces of tymber to mak pypes to convey water in the ground to what plac they would. At thys toune syde we left the land of Swecya and entred the dukedome of Bavarya. In thys toune dwelleth the Hear van Hellvenstayn, ³ a man of great account. The next day we bayted at Shonga, ⁴ a great walled toun. What our seconde course was I know not, but our fyrst dysh was fryed eges, but whether yt wear for the better facyon or for the mor expedycyon I know not, for they wear sett uppon the table in a foule black frying pan late from the fyre. At nyght we cam to Amburgo, ⁵ a wooden toun at the foote of the Alpes. I say a wodden toun for

¹ Venice.

² Landsberg.

³ Rudolf IV, count of Helfenstein, died 1601.

⁴ Schongau.

⁵ Ammergau.

that the howses be made all of wood ther and all the howses nere unto the Alpes be mad only of fyr poles unsquared, bothe the pryncypales and the wales and the roof boorded uppon the top wythe fyr bords.

[fo. 13] They work ther tymber all overtwart¹ and no pese in a house stands upryght and all round as yt growethe. These howses be veary lowe and brode and the roofs flatt lyke unto the roof of our churches. A man wythe a staf of ii yards long may reach to the topes of them. They be made in thys manner because the wynd ys of great forc in those places. Thys tounne takes the name of a ryvar that comes out of the mountaynes and runs by yt called Amber. The next mornynge whyche was the xxvith we entred a narow valley between ii great mountaynes and being about ii Inglyshe myles wythin the valley we cam by a veary fayr abbey called Ettall;² so to Portycher³ to our bayt. All the tyme that the lowe houses contynewed we sawe that they layd many stones uppon the howses to kepe the boords from being bloune of, for the wynds in those partes be veary extream. I forgot that yesterday being the xxvth, havyng rydden the most part of the after noone in a veary hylly contry under the Alpes and the weather being veary hote and our company veary dry, ther was a Jarmayn gentellman in the company that was going to Padua wythe ii yong gentellmen, and had the charg of them. Thys Jarmayn rydyng by my master began to speak Lattyn. My self being behynd them half a slope hard hym say monestarya, and looking about me I sawe a fayr house whyche proved to be a monestary of monkes. So ryding till we cam to the house styll speaking Lattyn, and of [on?] going to the house to drink allthough I wear no scollar, yet I was so dry that I understood them every word. The company whyche was xiii past by, but my master and the Jarmayn and my self went to the gate and called for the curtsy of the house. [fo. 14] A veary good ould munke cam unto us and took us by the hands and sent us a can of wyne and a manchet, the whyche we tooke so kyndly that our Jarmayn gentellman fell twyse from hys horse befor we cam to our lodging, and lost hys dagger. We bayted onc mor thys day at a vyllag wher we found the lord Mountygues armes⁴ sett up in the in, and so to our

¹ Athwart, crosswise, transversely.

² Ettal; a Benedictine Abbey, founded 1330.

³ Partenkirchen.

⁴ Probably the arms of Anthony Browne, Viscount Montagu, c. 1528-92, who was sent as ambassador to the pope and Venice in 1555.

lodging at Shefeld,¹ the whyche ys viii Duche myles wythin the straytes of the Alpes. At thys Shefeld we wear sheawed a great wonder yf yt be tru. A nobleman of that contry refusing to take the blessed sacrament acordyng to the use of that churche would take yt by hym sealf and in taking of yt sunke presently down and fynding hys lyfe going caught hould of the allter stone and gryped yt so hard that the prynt of hys hand and fyngers remayn uppon the allter stone to thys day.² At thys hys suddayn deathe ther decended blood from heaven uppon hym whyche ys kept ther styll, to the great benyfytt of the contry for that many syck parsons have byn cured therby, as they say. We wear sheawed many gyftes that had byn geven to the churche by suche as had recovered ther healthe by the vertu of thys holy blood, for so yt ys called, the holy blood of Shefeld. Behynd the allter ther wear hanged the hayre of at the least xx womens heads and in a chappell ther stood a wax candle as hyghe as a man could reache wythe hys hand and xxiii ynches about.

The next day we cam to Insburg³ about xi of the clock wher we stayed all that nyght for the company of ane Inglyshe gentellman that served the duke. Hys name ys Mr. Thomas Lea. [fo. 15] Mr. Lea shewed us the duke's pallas and hys stable in the whyche ther wear iii scor horses. The duke being ther sent to know what we wear and of what nacyon and after intellygenc geven he sent hys pasport under hys hand and seale for our better safty in our travell in hys contry. Mr. Lea and hys wyf wythe dyvers of the duke's gard supt wythe my master that nyght. Thys duke⁴ ys one of the greatest prynces in Jarmany. He wrytes hymself Arche Duke of Astrya, Duke of Brugndya, Sterya et Carynthia et Wertynburghya wythe dyvers other tytles of honor. Thys toune of Insburg stands uppon a ryver called In and yt ys invyroned wythe great mountaynes and of the terytory of Terrall. Thys duke ys unkeill unto the Emperour. The howses of thys toune be flat roofed and in the best stretes the howses stand uppon pyllers that men may walk dry at all tymes. In thys toune we wear shewed a veary fayr churche wher the auncytors of the house of Astrya doe stand in veary fayr manner cast in brass and bothe of the

¹ Seefeld.

² The finger-prints are still shown and tablets record the miracle in twelve languages. The nobleman was Oswald Milser, the date about 1384.

³ Innsbruck.

⁴ Ferdinand, brother of the Emperor Maximilian II and uncle of Rudolf II.

men and women Godfry, Duke of Bullen ys one of the eldest of them.¹

The next mornyng we mounted the hylls agayne and mett many processyons, for yt was that Munday that we call Gang Munday.² We bayted at Seanough³ and lodged at Sersyng.⁴ The next day we bayted at Prycksen,⁵ a great toune. At thys toune ys the sea of a byshop called the Byshope of Pricsen. About thys toun ther be great vynyards. From thenc to Collman⁶ to our lodging. The next day being the last of Apryll to Bowzan⁷ to our bayt [fo. 16] One of our gydes being gone befor to make ready our dynner had covred the table and stroed yt wythe roses, whyche because they wear the fyrst that we saw we thought that we should have had no other meat, but yt fell out better for we had half a dussen of as ill dyshes of meat and as badly drest as ever I sawe, but our wyne was excedyng bad. From thenc to our lodging at Salourno.⁸

Uppon May day we past by Trent but thought not good to com at yt for ii causes, the one was for that we hard that the inquirytyon was ther, the other was for dought of robing, for ther was a noble man of Italy that robed in those partes and had intellygensors in Trent of all travellars that past that way. For those causes we left yt a myle on our ryght hand, so bayted a myle beyond yt at a toune called Bearsey⁹ belonging to the Cardynal of Trent, so to a burrow toune called Vallsugana.¹⁰ The second of May to our bayt at Frymolan,¹¹ a vyllag belonging to Padua, yet we went ii Inglyshe myles styll in Terrall¹² but ther was no more but the veary hygheway of Terrall for both the sydes wear of Italy.

At the end of Terrall the Duke hathe a toule house and the porter dwellethe in a hygh rock and when passengers com he ys lett down by a rope and so taken up agayne, for when we cam to the gat he was lett down as a bucket ys lett into a well. The Duke's provyson for wood ys made in the mountaynes and brought to the valley, being cutt into loges of a resonable length [fo. 17] and

¹ These were the statues around the monument of the Emperor Maximilian I in the Franciscan church.

² The Monday before Ascension Day, so called from the processions held on it.

³ (?) Steinach.

⁴ Sterzing.

⁵ Brixen.

⁶ Kollmann.

⁷ Bozen.

⁸ Salorno.

⁹ Persen (Italian Pergine).

¹⁰ Valsugana.

¹¹ Primolano.

¹² Tyrol.

being thrown into the ryver yt ys caried lose by the stream nere unto the court wher they have devyces to hoyst yt to the land very easily. And in these contryes of the Alpes the women of the mountaynes have great swellynges in ther throtes, for they that be not able to by wyne doe all wayes drynk the water of sno and that doth make them to swell in that manner. Therbe some that lyve to be ould that wyll have a bag in her throt that hangs to the brest. In those mountaynes therbe but feaw shepe but many gotes, yet for all the scarcyty of shepe the Duke hathe loved mutton, for all the best of hys lyfe he kept a frend by whom he had ii sones, the eldest was called the margrave¹ and the yonger was a veary grave auntyent cardynall about xxii yeares of age; but yuthe being spent hys Exilency maryed hys oun systar's daughter by whom he had ii fayr daughters. If he had maryed hys ii base sones to hys ii daughters I thynk yt had byne as godly as hys own. But wythe what zealle thynk you that thys holy father of xxiii yeares of age can preache agaynst thys veanerable synne of hys father's, but sure he dothe love yt so well hym sealf that he leaves yt out of hys sermons; but how so ever the father and the sonne do love yt the Pope ys able to forgeve yt. So leavyng Jarmany we cam to Bassano in Italy to our lodging. My master and some others, being weary of ther horses, hyred a coche to Castell Franco² wher we bayted, and from thenc to Venys by water.

[fo. 18] Uppon Satterday the thyrd day of May we cam to thys great cytty wher we stayed for the receypt of mony and convenyent shyping for Ragusa untill Satterday the xth of May at nyght. I wyll leave the report of thys cytty to others that doe understand the estat of yt better, but in my symple opynyon yt ys a pryson of so muche lyberty and a plac of all maner of abomynacyon. The gentellmen be marchantes and veary ryche and therfor proud. They have wyves but for facyon sake, for they prefer a comon curtyzan befor ther maryed wyves, for they constrayn ther wyves to honesty by locking of them. If he fynd hys wyfe to be so lyberall of her honesty her punnyshment ys deathe, but not by the lawe, but by the bloody hand of her husband. If the frends of any gentellwoman so kylled would have satysfaccyon they must have yt by the sword. These men love thys swet synn so well that they term them most vertues that I thynk to be most vyccyous, but why should not the cyttyzys be lyk the cytty, whyche ys a foule stynking synk, as evell kept as the kepers be evell condycyoned.

¹ Charles marquis of Burgh.

² Castelfranco.

They honor Saynt Mark by whyche they hould ther tytles of honor. Therbe many places of good note as the Ryallta, the Cannell Grand, Saynt Marke's church, the Duke's pallase and the Arceanall whyche ys the storhouse for ther navygacyon wythe dyvers other good places. Yt was creadyably reported unto us that ther wear viii thowsand curtyzans in thys cytty aloud by the senat, whyche yelded muche profytt to ther treasury.

[fo. 19] At thys plac we hyred a frygat of Cattara¹ for iii chekenes² a man to cary us to Ragusa, and uppon Satterday the xth of May in the nyght [*sic*]; and we aryved at Ragusa upon Satterday the xviith,³ whyche was Whyttsonne even; but we aryved at many places fyrst, at Rovygo,⁴ in the iles of Sayt Jeronymy for freshe water, then at Sara,⁵ wher we lay ashore all nyght. Thys Sara ys a toune of the Venecyans in the whyche they kepe a garryson bothe of footmen and horsemen and have ther gallyes for war in readyness. At our being ther we saw the coming in of the horsmen whyche had byne abroad to gett forrag about the number of iii scor poor leane lame jades and the ryders of them answerable to the worst. Duryng thys small sea journey we wear every day ashore and eat suche meat as we could gett for our mony. In these partes the tounes be veary poor and the peple veary symple and bare. They have more asses then men. We landed at Cursola⁶ and supt in the toune and saylled all that nyght, and uppon Whyttsun even we aryved at Ragusa, the whyche ys a veary fyne small cytty and veary ryche. In thys toune ther ys a fayr church the whyche was buylt by ane Inglysh kyng,⁷ but the reason why the kyng dyd buyld yt we could not learn. At thys plac we hyred a genny-sary, one of the Turke's gard, to conduct us to Constantynople and payd hym for hym sealf and hys horse fyfty dollers. At thys toune we lay at the house of one Mr. Wyllyam Robynsoun, ane Inglyshe man, a man of many words but slo in performing, for tyme hathe so aliterred the man that he ys becom a Slavonyan in natur, but a veary kynd fellow in hys facyon.

[fo. 20] Here we made our provysyon for our journey. We bought a kettell and spyes withe bred, butter, though not veary

¹ Cattaro.

² The Venetian zecchino (chequin) was a favourite coin in the Levant. It had an exchange value in English currency of from 7s. to 9s.

³ According to the itinerary this should be the 17th.

⁴ Rovigno.

⁵ Zara.

⁶ Curzola.

⁷ Richard I was at Ragusa in Nov.-Dec. 1192, and tradition asserts that he then founded the cathedral.

good, parmason rys and wyne, and our bottell that we caryed our wyne in was a great bag made of dears skyn drest with the hear inward. And upon Whyttsun Monday we wythe iii marchants of that toun and our genysar set forward towrd Constantynople, but the marchants went but to Sofya. At thys plac we hyred horses and had a man that had a commysyon to take horses by the way. So wythe mucche toyle and hard lodging we spent the tyme untill the Fryday folowing befor we cam to any toun and that day we rode thorow a toun called Foza,¹ and upon Satterday we rode through ane other toun and uppon Sunday one other. Those tounes be of Dallmacya. Thys Sunday we cam to the abbe of Saynt Saber² wher we had leave to dress such vyttayles as we brought wythe us. We wear shewed a lyttell chappell in thys monestary wherin ther was a great chest, in whyche chest the body of that holy patryark lyeth consumed to dust. The chest was opened, and about the brest of the man ther was standing a sylver dyshe whyche had in yt bothe sylver and gould; for yt ys a shryne that the ignorant peple resort unto for healthe and doe offer gyftes unto yt. Yt may be thought that thys patryarck was a great taker when he was alyve that takes so much being dead. They brought foorth the hys staf uppon the top wherof ther ys a fayr crystall bale wherwith the marchants rubed ther eyes for yt ys esteemed veary precyous for the syght. About ii myles beyond thys plac we mett wythe ii Turkes, the one a genessary and the other a spahy. These proud Turkes perceavyng us to be Crystyans cam to us and stroke us wythe ther rydyng whypes and took away a hatt and would not [fo. 21] let us have yt agayn wythout mony. We complaynd to our genessary but pacyenc was our remedy. Thus by small jorneyes we past the way and tyme and uppon the xxviith of thys monethe we past by Novabazar³ but went not into the toun for our genysary sayd that yt was a thevyshe plac and that many robbaryes and murthers had byne comytted ther. The xxixth we past by Nyza⁴ but left the toun for the like causes

¹ Foča.

² Mileševa where the body of Sveti Sava (Saint Sabbas), archbishop of Serbia (died 1237), was preserved. His remains were removed and destroyed by the Turks in 1595. The alleged miraculous powers of the saint's staff may perhaps be explained by a Serbian folk song which narrates that a certain Turk, Hassan Pasha, was about to desecrate the saint's body when he was struck blind and only after repentance did he recover his sight through the intercession of the prior with the saint.

³ Novibazar.

⁴ Nish.

and when yt drew towards nyght we left the way to seke for a convenient plac to lodg in. We found a lyttell poor house wherin ther wear iii lyttell mylles dryven by a small spryng that cam out of the next hyll. The water was very hotte but Mr. Myllner would not geve us entertaynment, so sekeing farther found a poor house wher we stayed that nyght, some upon the ground. Thys day as we came by Nyza we met a convoy of cammells loden with marchants goods. The number was fyfty. These wear the fyrst that we sawe therfor I tooke notys of them. The next nyght we lay a myle wyde of Pyrott ¹ in a peasant's house, and the second of June we came to Saytta Sofya ² wher we wear well lodged in a stable and had good cher of our owne dressyng. At thys toun my master put of hys clothes for a marchant that cam wythe us from Ragusa, lent hym a payr of shetes and a mattarys. At thys toun we lay iii nyghtes to get wagons to cary us to Fyllyp Popyly.³ The ordynary pais between Sofya and Fyllyp Popoly ys ii dayes journey but we made thre dayes travell of yt, for ther was the wyfe of a Bassa that travelled our way, in whose cumpany we had leave to go by meanes of one Venvek ⁴ that attended uppon her.

[fo. 22] Sofya ys a veary bad toun and the peple of ane evell natur, for they would stand and stare uppon us and spyt uppon us, but they dyd not beat us. Uppon Friday the viiith of thys monthe we cam to Fyllyp Poppaly about xi of the clock and, having found a convenient corner to sett our wagons in and to geve them meat, we plast our selves veary easily in a church porch that was rayld in lyke the cage at Byllyngs Gatt. So having gotten bread, a pott of good water and a feaw cherries, we fell to our dynner. But the malycyous clarke, wheather envying our ease or grudging that we should fare so well, cam and turnd us out and gave us ill word but strake us not. So we stood in the stretes half ane our and at last our gennysary gott us a cookes shop wher our fare was well mended, for we had meat well drest wythe garlyke and unnyons and excelent yll wyne, but we forgot to drynk to the clarke of the church.

Uppon the Wensday next we cam to Andranople and having sought a long our for good lodging at last we wear entertaynd into

¹ Pirot.

² Sofia.

³ Philippopolis.

⁴ The Voiniks were a corps of more than a thousand men, mostly Bulgarian Christians, who tended the Sultan's herds of horses, and in wartime followed the army as grooms. They also served as carters, attendants, etc., for those who were sufficiently influential to be able to command their services.

a smythes shop. So our chamber was the utter chamber to a common stable wherin ther wear horses oxen and asses and they came all thorow our chamber. If we had store of dreg¹ ther we had but suche stuf as we brought. Thys ys a veary great toun but of base buyldyng all savyng one churche, the whyche ys a wonderfull beawtyfull thyng far beyond any that we had sene ether in Italy or Jarmany.² At thys toun we hyred wagons to Constantynople, being fyve dayes jorney. Uppon Munday the xvith of June we found that great cytty, the whyche we had so long sought.

[fo. 23] Constantynople, otherwyse called Strambould. It passethe my understanding to say muche of thys great cytty for our tyme of being was but short, about' xiii dayes, but I se yt evell buyld and the inhabytants rude and proud and veary malyshyous toward Crystyans, tearming of them doges and offering them many abuses. Meny of them wear so malyshyous to Crystyans that they would not sell us ther ware but waft us from them wythe ther hand.

About ii monthes befor our coming to thys cytty yt was spoyled and burnd by the unruly genysaryes who found them selves greved wythe ii of the Grand Synyor's favourets.³ They assembled at Constantynople and came to the gates of the Sarelya⁴ and demaunded the heads of those ii whyche they sayd had donne them wrong. The whyche was denyed them. Wheruppon they fell to burning and spwylling the cytty in many places and sent word to ther master that they would burn hys house allso and that they would feche hys sonne out of Asya and make hym emperour. The Grand Synnyor, seing that no gyftes nor perswasions would searve, was constrayned to put them out at the gates unto them, who presently cut of ther heads and used as muche tyranny as they could unto them, and departed gevyng the cyttizyns leave to quenche the fyr them selves. Yt was creadably reported unto us by the Guenes⁵ agyent that ther wear xlviii thowsand of howses burnd in the hart

¹ Refuse or excrement.

² Probably the Mosque of Selim II.

³ The Sultan was Amurath [Murad] III 1574-95. The Janissaries refused to pay a new subsidy or to accept a new Aga (commander) nominated by the Sultan. When fire broke out in Constantynople they would not help to fight it, and they forced the Sultan to cancel the new tax and to surrender its authors. These were then drawn up and down the streets tied to horses' tails and eventually beheaded.

⁴ The Seraglio—the Sultan's palace.

⁵ Genoese.

of the cytty and churches xvii scor, caravacharyes fyfty. The sixth of June hys armado of gallyes went from Constantynople into Barbary to suppress the Moores whyche rebelled ther and wear revolted from hys obaysanc. The thre and twentethe hys Beylorbay¹ went out of Constantynople [fo. 24] in great pomp towards the borders of Crystandum to suppress the Crystyans that border uppon hym. He was not past vi thowsand strong when he went feorthe bothe horsmen and footmen, but had comyssyon bothe for men and mony to tak at hys pleasur in the contryes. In thys cytty ther was befor yt was burnd iiii thowsand of churches for Turkes and for Crystyans vii hundred. We found all thynges veary dere and hard to be gotten at thys plac. We lodged in the Guenes agynt's house at Rappamat in Pearo and stayd ther xii hole dayes.

Uppon Sunday the xxixth we tooke our leave and lodged iii myles of in the foldes. Upon Thursday the thyrd of July we cam to a great toune called Kyrkles,² or forty churches. We lay ther in a caravachary. Thys toune stand in a barron soyle, all woods, for befor we cam to the toune we travelled ii dayes in the wood and yt contynewed to Provato³ whyche can be noe less than ii hundred myles. Uppon the eyght day of thys month we cam to Provato, wher for restyng of our selves and our horses we stayed ii nyghtes. Thys Provato ys in Bullgarya, and Kyrkles in Romanya. Being past thys toune we cam over a great hyll called the hylles of the moone. Uppon Fryday the xi of thys monethe we came to Celystra,⁴ a fayr toune of that kynd of byldyng, the howses lowe and boorded. Thys toune stands uppon Danubious banks, and the last toune of Bullgarya. At thys toune we lay ii nyghtes. Uppon Sunday the xiiiith we went over Danubius, whyche ys about a quarter of a myle in that plac. At thys toune of Selystra we lay at [fo. 25] the house of a marchant of Ragusa and wear veary well used of the company ther . . .

As I sayd, we being over the ryver wear in Vallaka⁵ and went half a dayes journey that day towards Yass, and uppon the Tusday folowing we bayted at Bowza,⁶ a great ould toune wher we found a company of marchantes of Cyprus, by whose meanes we made our provyssyon muche the better. The next day we bayted at a villag by whyche ther runes a brooke that devydes Vallakya

¹ Beylerbey (Lord of Lords), a title held by the governor of a province.

² Kirk Kilsse.

³ Provadia.

⁴ Silistria.

⁵ Wallachia.

⁶ Buzău.

from Mulldavya. Thys nyght we thought to have layne at Coo-couche,¹ but wear hyndred at a ryver nere unto the toune by whyche we lay all nyght for lack of passage, for some of the ferry men wear so weary that they could not worke and some so drunk that they could not stand. So, symply provyded as we wear, we camped by the ryver's syde and had the company of many waggons, some of Polonya and some of Valaka and some of Bogdanya. The next mornynge we wear the fyrst that gott over and wear at Cowcuche by x of the clock, wher we rested that nyght.

Vallakya ys a playn contry without hylls, the soyll good, but for want of good husbandry yt beares but bad corne. They plow ther land but onc, at whyche tyme they so ther corne, and they never wede ther corne. They have great store of ground, but small store of cattell, for want wherof ther folds [fo. 26] be over grown wythe wedes, wormwood and sour long grass, but the soyle ys good and would bear bothe good corne and good hay yf yt wear well husbanded. The contry yelds small store of wood and veary bad water, but the fayrest wayes for travell that we had in all our journey. The prync of thys contry payes trybut to the Turke and takes muche of the poor peasants for ther poles, for they pay no rent for ther land, but pay for all ther famlyl acording to ther number, and that being payd they care for noe more then wyll kepe them; for if any of them should be knowen to be ryche the prync would soone mak hym poore. In thys contry fleshe ys veary chepe, for we bought a fat shepe for iii sahyes,² whyche ys about xvd. starlyng, and great chyckens for ane asper. The asper ys about the value of iii farthyngs. Ther bread ys veary course but chepe. They bake cakes allwayes agaynst dynner and supper. Uppon Sunday the xxth day of thys monthe of July we cam to Yass³ whyche ys the chef toune of Molldavya, and the sea of the prync.⁴ My master was sent for to the court wher the prync enter-tayned hym kyndly, and took hym by the hand and talked wythe hym the spac of half an oure by hys interprytor whose name ys Barnadyno Barrysco. Thys prync presented my master the fyrst nyght wythe a sack of barley for our horses, a basket of bread,

¹ Tecuci.

² Fynes Moryson states that the scahy (a Turkish coin known to the Italians as seya) was worth rather more than sixpence. Fifteen of them exchanged for the chequin.

³ Yasi.

⁴ The prince was Peter V (the Lame), holding the office for the second time (1578-9, 1582-91).

iiii bottels of wyne, a dyshe of peares and a fatt shepe, and every meall somethyng for the tyme we stayd at Yass.

[fo. 27] Thys Yass ys but a poor wodden toune and the prynce's pallas ys but of wood and covred with boordes. Thys prync was ane ould man. He sent us hys pasport to the customer of hys borders for our better and safe passing. The Mulldavyans be better husbands then the Valakyans, for ther folds be well stored wythe cattell, bothe oxen, kyne and shepe, and have a good brede of horses. The contry ys a good fyrtell land, well wooded and veary good water, but ther buyldyng muche alyke, for the contry howses be covered wythe redes and seges and the both be but boorded. ii dayes before we cam to Yass we hard lyttell beles ryng in ther churches, whyche we hard not senc our being at Ragusa, whyche ys about a thowsand myles. At the tyme of our being at Yass ther happend suche a storm of wynd, hayle and thunder as was neaver hard of in those partes by the report of the peple. So uppon Tusday at nyght, having the prynce's letters for our better passag, we left Yasse and lodged ii myles out of the toune, and uppon the Fryday folowing we bayted at Cowchene,¹ a toune upon the borders, at whych toune we past the ryver Nyper² into Podolia and lodged at Cammanyc.³ Thys Cammanyc ys the fyrst toun of any strength that any Crystyan prync hath agaynst the Turk in those parts. Thys toune ys strong and hathe a fayr castell and a garyson of the poorest souldyars that ever I sawe. Being come to the gates of the toune we prayd to enter for ane nyght's lodging. One went presently to the captayne who sent ane offycer to conduct us to our lodging, wher the captayne mett us, and gave us kynd entertaynment, but I cannot lett pass but to speak of the basnes of the souldyars, [fo. 28] for they had neather good clothes nor good furnytur, but most of them wear veary fynely drunk. At thys toune we rested a day and then sett forward towards Leopoldis,⁴ other wyse called by the Russes Ryse Lymbrick, and the Poles call yt Ellvova; and uppon Wensday at nyght we cam to Lemyanygh,⁵ whyche ys the fyrst toune of the Inferyor Russya toward that part. On the morow, being the last of thys monthe of July, we lodged at Leopoles. Thys contry of Podolya ys a veary fayr land the whyche for fayr foldes, pleasant meadowes, goodly ryvers and store of woods passethe any contry that we travelled thorow.

¹ Chotin.

² This must be a slip for Dniester.

³ Kamieniec Podolski.

⁴ Lwów.

⁵ Probably Gliniany.

Leapolys ys a veary fyne lyttell toune and of good buyldyng, nere unto the manner of the buyldyng of Jarmany. At thys toune we lodged at the house of one Mr. Whyte, ane Inglysheman, wher we had bedes and our meat well drest, the whyche [we] had not in all our travell be twyxt Venes and yt, saving at the Guens agyent's house at Constantynople. We stayed at thys plac iiij nyghtes to rest our selves and our horses. In thys toune therbe many churches of many nacyons, and of sundry relygyons. The Poles be all papystes, the Jues beleve God but not Cryst; they look for ther Mecyas who ys yett to com as they beleve, the Russes relygyon I understand not more then that they do profess a poore kynd of Crystyantyty, but nether Papysts nor Lutherens. When any of [them] revoult and turn Poles, as many of them doe, they crysten them agayne what age so ever they be. The Grekes and they have but one church. The Jues have noe immages in ther church. The Armenyans have a veary fyne church, and uppon the alter ther stands a dog of sylver, the whyche they doe great reverenc unto, for they being in [fo. 29] distress in the wylderness when the Turk drave them out of Armenya agreed among them selves that what lyve thyng came next in ther syght that they would folow yt and yf yt brought them out of the wylderness in safyty that they would acknoledg yt to be ther delyverer and doe devyne reverranc unto yt. So yt happened that ther came a doge by them the whyche they folowed and came forthe in safety, sinc whyche tyme they have doone worshyp unto a doge, the whyche they have sett upon ther alter.¹

Uppon Munday the fourthe of August we left Leopoles and sett forward in the after noone towards Craccovya,² and upon Wendsday next we lay at Yarraslave³ wher ther was a great fayre, and uppon Fryday about xix of the clock we cam to Senesso,⁴ and uppon the Tuesday folowing we cam to Crackcovya about xxii of the clocke, but myght have byne sonner by a day but for easyng of one of our company that was not well.

At Crackcovya we stayd iii nyghtes. Thys ys a great toune but not so fayr as we expected. From thys toune we went uppon

¹ The Armenian cathedral, built between 1356 and 1363, still exists; but after the union with the Roman church in 1640 the interior was transformed, and this altar and statue of a dog no longer survive. The Armenians first arrived at Lwów via the Crimea in the thirteenth century. The dog has always been a common motive in their decorative art.

² Cracow.

³ Jaroslaw.

⁴ Probably Sedziszów.

Fryday the xvth of August in the after noone and lodged at a cru, and dynd the next day at Wellcuys,¹ about whyche toune they gett muche lead. The next nyght we lay in a cru upon the borders, but in Polonya, and dynd at Tournawyth² in Jarmany in the terytory of Celecya,³ a contry belonging to the Emperour. On the morow, being Sonnday, we cam to ane ould rotten toun [fo. 30] the name wherof ys Toost,⁴ and yt ys as rotten as any tooste for ther wear feaw houses but they wear shored with supporters. The house wherin we lay hung all westward. The next nyght we lay at Appolys,⁵ a fayr toune, and uppon Tuesday at nyght we cam to Brega.⁶ Thys Brega ys a fyne toune belonging to a duke that dwellethe ther and ys called the duke of Brega. The Duchess was delyvered of her fyrst chyld, a sonne, the nyght befor we came, for joye wherof ther was great joye in the toune, many bonfyres wythe shuting of peces and soundyng of trumpets and drumes, with synging and drynking for joye of ther yong prync. The next day being the sixth of August we dynd at Olawe⁷ wher thys duke lyethe and hathe a fayr house ther, and lodged at Preslaw⁸ in Cealecya were we lay from Wendsday the xixth till Saterdag the xxixth at noon for ii causes. The one was for that we hard ther that Mr. Swynnerton and Thomas Tyxall wear gon to Craccovya, whose retorne we expected every day, but they came not then; the other was for that Mr. Wythypole was syck and veary unable to travell. Thys ys the chefe toune of Celeacya. Ther be in yt betwene land [*sic*] iii scor paryshe churches wherof iii of them be veary great and fayr. At thys toun the States of the toun presented my master wythe vii great potes of wyne, whyt wyne of Hungary, read wyne of Austريا, Renyshe wyne and Malmsey. The toune ys devyded in relyggyon. Ther be xi churches for Lutherens and the rest be Papystes. At the tyme of our being ther the toune set foorth forty horses well furnyshed for the war to mete Maximyllyan, the Emperour's brother, who had byne prysoner [fo. 31] in Polonya and had made a gyft to gett from them, and yt was supposed that the Poles, who wear then in armes, would have attempted to hav fecht hym agayn, but they lett hym goe. The cause of hys imprysonment was thys; after the deathe of Steafanus, the kyng, the nobyllyty fell at varyaunc about the elecyon of a new kyng, the one part chose Maximyllyan and the other part chose the king of Sweadon's sonne. So the matter cam to be decyded

¹ Olkusz.² Tarnowitz.³ Silesia.⁴ Tost.⁵ Oppeln.⁶ Brieg.⁷ Ohlau.⁸ Breslau.

by the sword and Maximyllyan was taken prysoner, and the other enjoyd the kyngdome. Upon the xxixth we toke leave of Preaslo and lay at Numark.¹ The xxxth we dynd at Legnes,² a fayr toune, and lodged at a cru in Wooleshayne.³ Uppon Munday the fyrst of September we lay at Gorlyts,⁴ a fayr great toune. Ther Mr. Swynnnowton and Thomas Tyxall over took us, and the seacond at Bowzen,⁵ the thyrd at Ortran.⁶ iii dayes befor we came to Ortran we past thorow a part of Lusacya,⁷ a contry of the Emperour's, whyche contry lyes under the hyles of Bohemya, but at Ortran we entred the land of Mysnya,⁸ a contry of the Duke of Saxons. The fourthe at Tergo,⁹ a fayr toune in the whyche the Duk of Saxon hathe a fayr house the whyche we sawe in all places, the fyfth at Wytttenburg.¹⁰ Thys Wytttenburg ys a veary fayr toune and hathe ii great colligys in yt whyche doe contayne in ether of them a thowsand studyents. The syxt day we cam to Serbes¹¹ and the seventh to Magdenburg,¹² the whyche ys a fayr great stat called a fre stat. Here we rested ii nyghtes to se the toun, in whyche toune ther ys a great churche called the Doome, and ther we wear shewed the toome of Edethe the Empresse, the wyf of Ottan, Emperour. Thys Edethe was the daughter of Ethellstane, Kyng of Ingland.¹³ She was buryed ther the year of Our Lord 947.

[fo. 32] From Magdenburg to Gorleaven¹⁴ the viii day, the nynth to Salwell,¹⁵ the xith to Gorleven,¹⁶ the xiith at Lunyngburg, the xiiith at Hambro wher we lay long for the flete of Inglyshe shypes that retornd from Stode wher the company of the marchant venturers lay.

In sum partes of Jarmany the shepperds have all lyttell houses with iiii lyttell wheles, in the whyche they have noe mor roome but a bedd rome for hym self and a cennell for hys doge. Thys house stand by hys fould and when he shyftes hys fould he shyftes hys house. The contry hathe many woolfes whyche would kyll hys shep yf he dyd not ly by them.

Being past Ragusa, whyche stands in Dallmacya, we cam thorow Servya and Bosna and Bullgarya and many other cuntryes. Thys

¹ Neumarkt.

² Liegnitz.

³ (?) Haynau

⁴ Görlitz.

⁵ Bautzen.

⁶ Ortrand.

⁷ Lausitz.

⁸ Meissen.

⁹ Torgau

¹⁰ Wittenberg.

¹¹ Zerbst.

¹² Magdeburg.

¹³ The Emperor Otto the Great married Edith, daughter of Edward the Elder and sister of Athelstan.

¹⁴ Gardelegen.

¹⁵ Salzwedel.

¹⁶ Gorleben, a village on the river Elbe between Salzwedel and Lüneburg.

Servya and Bosna be veary hylly contryes in the whyche we had not ii myles of good way in a day. The peple in those contryes be veary poore and as symple in manners as bare in aparrell. Ther aparrell ys a whyt jacket made of veary course wooll, and they make ther shues them selves of a pese of leather tand, and the hear upon yt, the whyche they lace to ther fete veary unhansomly, and he that can gett a redd cap of the Grekyshe facyon thynkes hym self a brave man. In these contryes therbe no cartes nor waynes nor wagons except some lyttell carts about a poor house. They plow wythe oxen, but have but ii lyttell poor red or dunn oxen in ther plow. They lay all to geather as though yt wear dyged wythe spades. In these contryes the people wyll call one to a nother and delyver ther myndes iii myles of one from the other [fo. 33] for the hyles be so hyghe and the valleyes so depe that yt wylbe ther half dayes work to go to ther neyghbours dwellyng iii myles of. The peple in these contryes be great pyllferers, but being past xii dayes the contry amended somewhat but contynewed hylly, but so that we had wagons but veary bad ons draven by ii poor oxen. From Ragusa to thys plac we had horses wythe wodden saddels some thyng lyk unto a pack saddell, and fyne hallters made of course wollan yarne. We could not ryde above xii myles in a day, neather use they any mor in ther best contryes.

About iiii oures befor we came to Fyllyp Poppaly we went over a great playne in the wyche ther wear veary many round hyles. We asked the cause why that fayr playn was so full of those hyles, yt was answered that they wear made when the great battayll¹ was fought ther between Brutus and Cassyous of the one part and Augustus Ceaser and Antonyous of the other part. In these contryes about Fyllyppopoly and Andronople they have great ugly beastes the whyche they draw waggon wythe; they calle them abufala. ii of them wyll draw as muche as iiii of ther oxen. They be of a great bone, ther hydes muche lyke the skyne or hear of a bare. They have long eares whyche hang doune behynd ther hornes, and ther hoornes be not lyke the hornes of ane oxe or cow, but rather lyke a gote; but they be short and brod. These kynd of beastes doe use to soyle in hote weather and the owners that dryve them neaver go wythout a scope to throw water upon them yf the plac be not depe wher they soyle. [fo. 34] In these partes they use cammeles for packhorses, whyche cary a far greater burthen then a horse ys able to bear.

¹ 42 B.C.

The wyves and maydes in Bulgarya and Thracya doe dress themselves vearly rychly wythe sylver bucles at ther ears and about ther neckes, and uppon ther heades to the value of ii or iii pound wayght, and ther hear hanges behynd in a nett.

In all these contryes therbe noe innes for travelors to lodg in, but therbe great houses bothe larg and costly called caravacharies whyche be made iiii square and have many chymneyes in every square, and places to tie horses unto, but neather beds nor mans meat nor horse meat, onely housroom, and for ther provysyon yf they bryng none ther genysary wyll by yt in the toune. Into these howses all travelars may goe without mony. You shall have Turkes, Jues, Crystyans, and trewmen and theves all at onc in one of these howses. My master would rather lye in the foldes then in thease howses for we lay but in one of them in all our travell.

In these contryes they have noe beddes in ther howses but ly uppon boords and benses wrapt in a cours rug and uppon the ground. Neather have they any tables to eat ther meat uppon or stooles to sytt uppon, but they syt cross leged uppon the ground. So doe the tradesmen that sell wares sytt crossleged uppon ther staules lyke taylars. The women doe sytt crossleged at ther meat. The Great Turk kept that year that we wear ther between iiii and fyve hundred [fo. 35] women all in one house called a Sorelya besyds hys fyrst wyfe whyche must be the daughter of a Crystyan. Ther wear xiii of them wythe chyld at our being ther; ¹ and all hys sonnes that he hathe by hys fyrst wyf be strangled at the deathe of ther father savyng the eldest, for the Great Turke hathe noe brother alowed hym.² Soe when the father dyes he makes a chappell for hym self and hys strangld sonnes to be buried in. And then the eldest ys made Emperour.

The Turkeysh women wear bootes allwayes, as well at home in ther howses as when they ryde, and when they ryde they ryde as men doe wythe bootes and spures and astryd. Ther bootes be of cullored leather, what cullor they lyke best, but ther faces be allwayes covered when they goe abroad.

No Crystyan man may have to doe wythe a Turkyshe woman, but he shall dye for yt yf yt be known, but a Turk may have as

¹ Sanderson estimated that Amurath III begot eighty-one children in all.

² The practice of fratricide by a sultan at his accession was begun by Bajazet I, 1389-1402, and died out in the seventeenth century. Mehmet III, who succeeded Amurath III, at once ordered all his nineteen brothers to be strangled.

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many Crystyan women as he wyll. In all cyttyes in Turkey they have iii Sabothes in a weke, the Turke upon Fryday, the Jewes upon Satterday, and the Crystyans uppon Sonnday.

At our retorn from Constantynople we had bothe a gennysary and a draggoman untill we cam to Cealystra, the whyche ys not past xv dayes travell.

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SIR JOHN ELIOT AND THE VICE-ADMIRALTY OF DEVON

EDITED BY

HAROLD HULME, Ph.D., F.R.Hist.S.

ASSISTANT PROFESSOR OF HISTORY IN NEW YORK
UNIVERSITY

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INTRODUCTION

Sir John Eliot officially began his duties as vice-admiral of Devon on 8 December 1622.¹ In October 1626 he was suspended from his post by the lord admiral at the request of the privy council.² But Eliot was never formally deprived of his office. In November 1628 his friend John Selden answered a question about his status in the admiralty by saying that his patent as vice-admiral of Devon was 'void by the death of him that made it'.³ Thus, not until after the murder of the duke of Buckingham, lord admiral of England, in August 1628 was Sir John Eliot's career as vice-admiral formally closed.

The four sets of papers here presented disclose the activities of Eliot as an admiralty official during the greater part of the six years when he was under the authority of Buckingham. In searching for material for my forthcoming life of Sir John I discovered these papers at Port Eliot and the Public Record Office. The first and third items, his private vice-admiralty accounts⁴ and the depositions against him,⁵ were found at Port Eliot; the other two, the second and fourth, at the Public Record Office. Of these four

¹ Public Record Office, High Court of Admiralty (hereafter referred to as H.C.A.), 30, Miscellanea, Warrants for Appointments, bundle 820, no. 11. See also below, p. 13.

² 25 October. *A.P.C., 1626 (June-Dec.)*, pp. 328-9.

³ Furthermore, Selden believed that the patent was also voided because Eliot had failed to render his account at Michaelmas 1627 for the preceding year, as his sequestration had made that impossible. A. B. Grosart, *Letter book of Sir John Eliot* (1882), p. 28.

⁴ Port Eliot, muniment room, Port Eliot Title Deeds, no. 46. They are in Eliot's own hand.

⁵ Port Eliot, bookery, bound vol. of MSS. headed 'Collections by and concerning Sir John Eliot, 1622-1629', fos. 139r-164v. These notes are not in Eliot's hand.

sets John Forster in his *Sir John Eliot* has used only the fourth,¹ 'A breif of such matters as have bene discovered against Sir John Eliot', which was put together from depositions taken in Devon in October 1627. The copy of the depositions at Port Eliot Forster must have seen;² but he ignored it. On the other hand there is no evidence that he even saw the private and official vice-admiralty accounts of Sir John. Had he examined them carefully his treatment of the charges against Eliot and the findings of the commission³ of inquiry might have been less depreciatory in tone.

The career of this young Cornish knight as vice-admiral began in the last month of 1622 when his friend and patron the duke of Buckingham ordered Sir Edward Seymour, vice-admiral of Devon, to surrender his post to Sir John Eliot. The vice-admiral was an officer appointed by the lord admiral's patent who acted as the latter's deputy in a maritime county or group of counties. This delegation of authority was usually made to a member of one of the leading county families.

Besides his services as the representative of the lord admiral and collector of his dues in the matter of wreck and other rights, the vice-admiral was charged with the application of the new statutes [27 Hen. VIII, c. 4, and 28 Hen. VIII, c. 15] for the suppression of piracy, the execution of press warrants for men and ships, the acquisition where possible of naval stores, the registration of ships and men available, the exaction of bonds from the captains and owners of ships going to sea as security for good conduct, the salvage and safekeeping of wreck and of prizes and prize cargoes, and the watch over the safety of his section of the coast. The vice-admirals' . . . emolument was provided by dividing with [the lord admiral] in half or smaller proportion, the proceeds from fees or wrecks, occasionally large in amount, recoverable in their counties.⁴

¹ John Forster, *Sir John Eliot, a biography* (1st edn. 1864), ii. 43-6.

² Forster says (ii. 43 and n., 46 n.) that a copy of the 'breif' exists at Port Eliot. I have been unable to find it. Hastily glancing at the depositions themselves, he probably mistook them for the 'breif'. He makes no change in his 2nd edition (1872), i. 376, 378 n.

³ Forster (1864), ii. 46.

⁴ M. Oppenheim, editorial note in *Naval tracts of Sir William Monson* (Navy Records Society), vol. iii (1913), pp. 428-9. Cf. Helen J. Crump, *Colonial admiralty jurisdiction in the seventeenth century* (1931), chap. I, where mention is made of the profits of Eliot's administration, 'It was the duty of the vice-admirals of the coast to take possession of and to preserve shipwrecked goods, and the salvage payable by the owners was one of their perquisites. It does not appear how the amount of salvage was adjusted. Probably the vice-admirals refused to give up possession of the salvaged property until their claims were satisfied.' R. G. Marsden, ed., *Select pleas in the court of admiralty* (Selden Society), vol. ii (1897), p. xxxvii.

All went well with the administration of the vice-admiralty of Devon until June 1623, when Eliot through a clever subterfuge induced the notorious pirate John Nutt to surrender.¹ And then within a month not only was the pirate in custody but Sir John found himself a prisoner in the Marshalsea at the order of the privy council.² He learned that John Nutt had rendered the king's secretary Sir George Calvert a service in protecting his infant colony in Newfoundland. He learned also that this man had given damaging testimony against him before the privy council, testimony which Calvert and others were inclined to believe. The imprisoned vice-admiral was seriously handicapped by the absence of Buckingham in Spain. True, the other secretary, Sir Edward Conway, was Sir John's friend, but for various reasons he was not powerful enough to secure his early release. Not until 22 September were the doors of the Marshalsea thrown open³ on condition that he should raise immediately £100 on Nutt's confiscated property in order to enable the pirate to pay the expenses of the messenger, in whose custody he had been for nearly four months, and of a new pardon whereby he would obtain his own freedom.⁴ But in the absence of the lord admiral Eliot had no intention of causing a loss to himself and his master of £50 each at the order of the privy council. After five days Sir John was again committed, this time 'to the custodie of a messenger of the Chamber until further direction bee given by their Lordships concerning him'.⁵ That further direction was not given until two days before Christmas, when, at the request of Buckingham who had been back from Spain for two months, Eliot was finally released.⁶

During this period the vice-admiralty business of Devon was at a standstill, as is shown by the gaps both in Sir John's official and private accounts. According to a letter⁷ written on 4 August by Sir Henry Marten, judge of the admiralty in London, to Secretary Conway, the interests of the lord admiral in Devon were suffering severely, for not only was Eliot in prison but so too was his deputy vice-admiral Richard Randall.⁸ Possibly by September the vice-admiral of south Cornwall, James Bagg,⁹ was also acting as vice-

¹ *Infra*, p. 2, n. 5. ² July 7. *A.P.C.*, 1623-1625, p. 51.

³ *Ibid.*, p. 88. ⁴ *Infra*, p. 15. ⁵ *A.P.C.*, 1623-1625, p. 90.

⁶ *Ibid.*, p. 156. ⁷ S.P.D., James I, cl, no. 24.

⁸ H.C.A., 1, Oyer et Term. vol. 49, fo. 21v.

⁹ *Ibid.*, 30, Miscellanea, Warrants for Appointments, bundle 820, no. 10. He was appointed 26 August 1622.

admiral of Devon, for in a letter¹ from Conway to Bagg dated 25 September the secretary addressed him as vice-admiral of Devon. Bagg's accounts might, of course, throw some light on this problem, but I have been unable to find them.

On turning to Eliot's accounts, both official and private, we find that the gap, except for one item in his private accounts, continues until May 1624. On 23 January 1624 he was at Plymouth to handle vice-admiralty business for a day or two.² That is all we know until May. Where was Eliot during the interval? He had been elected on 19 January to represent Newport, Cornwall, in the forthcoming parliament, and barely four weeks later he was at Westminster, where he remained for the next three months. There was no particular reason why Randall should have been kept in prison during this period, so he could have managed the Devon vice-admiralty in the absence of Sir John. But the lack of entries in Eliot's accounts in these months implies that Randall was doing nothing for his master. Either this vice-admiralty was a total loss to Buckingham during this period or else Bagg was continuing his duties in Devon while Eliot sat in parliament. To be sure, James Bagg was also chosen a member of this house of commons,³ but he was not at all active in the parliaments to which he was elected⁴ and was more likely than not to be absent throughout the greater part of the session. The last time the name of Sir John Eliot appears in any records of this parliament was when he was named to a committee on 4 May.⁵ It is quite possible that shortly after this he returned to Cornwall and to his duties as vice-admiral of Devon and was absent from Westminster during the last weeks of the session. But the making of a legal settlement found him in London on 25 May 1624.

Let me digress for a moment to explain the snarl in the court of admiralty in which Sir John Eliot became involved. Shortly before the pirate Nutt surrendered he had captured a Colchester ship, the *Edward and John*, containing a valuable cargo. This ship with her cargo intact he handed over with his own to Eliot at Dartmouth. But trouble arose when Sir John refused to return the *Edward and John* to her owners on the order of the privy

¹ S.P.D., James I, clii, no. 66.

² *Infra*, p. 10. ³ For West Looe.

⁴ He sat in all the parliaments of the 'twenties. *Return of the name of every member* (1878), i. 450, 456, 463, 468, 475.

⁵ *C.J.*, i. 698.

normal course. It is most unfortunate that the private accounts were not continued beyond this date so that they could be compared with his official reckonings which run to 1 October 1626.

It was in the year 1625 that Eliot's position in the admiralty and in national affairs was beginning to change. Sir James Bagg, the neighbouring vice-admiral, had become a jealous and ambitious rival. Bagg desired to rise as high in the esteem of the royal favourite as possible, for under such conditions he could acquire great wealth with the least possible effort. But in his way stood Eliot, also ambitious for the favour of the duke and glad to turn an extra penny. At the same time Sir John was just the opposite of Bagg. He was a patriot and was much more interested in the welfare of his country than in his own advancement. Throughout 1625, if not earlier, Bagg had been doing his best to undermine the confidence of Buckingham in Sir John Eliot. And as that year drew to a close Eliot was rapidly losing his faith in the favourite as a leader of the nation. It was in the second parliament of the reign of Charles I that Sir John turned on his master, the lord admiral, and developed a feud as bitter as any in history.¹ Sir James Bagg was delighted. No more persuasion was necessary to induce Buckingham and even King Charles to thrust Eliot out of the way. Already on 1 July 1626, two weeks after the dissolution of parliament, the commissioners of the duke's estate wrote to Edward Nicholas that

The Commissioners think the best way to bring Sir John Eliott to accompte, is to procure a Commission out of the Admiralty Courte directed to gentlemen of worthe spirit and integrity in the Country who are well affected to my Lord such as are Sir Barnard Grenville, Sir George Chudley, Sir William Strowde, and Sir James Bagge, Sir William Pooley, John Moone, Mr. Drake, and Mr. Kifte, esqs. or to any 4 or more of them²

And then on 4 August the admiralty issued the suggested commission of inquiry into the activities of the vice-admiral of Devon.³

¹ Harold Hulme, 'The leadership of Sir John Eliot in the parliament of 1626', *Journal of Modern History*, iv. 361-86.

² S.P.D., Charles I, xxxi, no. 2.

³ Port Eliot, bookery, bound vol. of MSS. : 'Collections by and concerning Sir John Eliot, 1622-1629'. A copy of the commission, in Latin, occupies fos. 131r to 134r. The following are to conduct the investigation :—Sir Edward Seymour, Bt., Sir George Chudleigh, Bt., Sir Bernard Grenville, Sir Robert Chichester, Sir William Stroude, Sir James Bagg, John Mohan, John Drake, William Carye, Walter Young and William Kifte. Eight 'Articuli sive Interria' follow (fos. 135r to 137r) setting out the lines the investigation was to pursue.

Technicalities, however, delayed the functioning of the commissioners. It was not for over a year that any action could be taken by them. But in the meantime, as we have seen, on 25 October 1626, the council requested the lord admiral to suspend Sir John Eliot from his duties as vice-admiral.

Before the commission appointed in August 1626 could function Eliot was imprisoned in the Gatehouse for having refused to subscribe to the 'forced' loan.¹ Consequently when the commissioners held their inquest in Plymouth and Totnes in October 1627 they were unhampered by the presence of the vice-admiral of Devon. The thirty-two deponents related fifty incidents which involved the activities of Eliot. But, as a number of witnesses told the same story, the evidence boils down to thirty-two different occurrences. The main idea behind most of the interrogations was to show that Sir John had defrauded the lord admiral or other people with whom he, as vice-admiral, had been dealing. It is obvious that the deponents had not been shown the official accounts of Eliot, for these formal statements prove that eleven of the stories told against him were perfectly honest transactions which were duly recorded. The commissioners never of course examined Eliot's private accounts. Had they seen them it would have been necessary to obtain only a small amount of corroborative evidence to put Sir John Eliot in a very unfortunate position. When we compare the private with the official accounts, however, there appear eight incidents, all mentioned by some one of the deponents, of which the vice-admiral's handling was certainly dubious. In three other cases suspicion against him exists without enough evidence for proof. In the remaining ten the evidence against Sir John cannot be checked far enough to warrant its being held against him. But what did the subject of the inquiry have to say about all this? Not a word, as far as can be discovered. Lying in the Gatehouse while these proceedings were in progress he may never have been shown the charges against him. No doubt he received a copy after his release.² But by that time greater events had overshadowed a dormant, if not dead, incident. Very likely it was dead in the eyes of Buckingham and Bagg, for the findings of the commission as disclosed in the 'breif' were not too serious, yet if pushed farther

¹ 5 June, 1627. Hist. MSS. Comm., *10th Report*, pt. ii, app., p. 125. *Court and Times of Charles I* (1849), i. 236, 239.

² 2 Jan. 1628. P.C. Register, I, vol. iii, fo. 249r; cf. S. R. Gardiner, *History, 1603-1642*, vi. 225.

they might have led to other investigations, involving other vice-admirals such as Sir James Bagg, with really disastrous results.

Turning from speculation to facts, let us briefly examine one or two incidents, and, with more evidence at hand than was possessed by Eliot's enemies, endeavour to find more of the truth. The whole truth cannot, however, be ascertained, for Sir John has left no word of explanation of facts and figures.

From the spring of 1624 to the summer of 1625 Eliot was on the best of terms with the duke of Buckingham. He was doing his best to ingratiate himself with the lord admiral as may be seen from the letter he wrote to his chief on 11 March 1625. Speaking of the seizure of 259 quarters of rye he says :

In the first valuaccon by the praysons I beleeeve your Grace mistakes the scope, for that estimate is not a shortninge of your benefitt, but a formall conclusion against the Proprietors (as I use in all other cases if such shall come) by which they onelie can recover the somme soe sett, the overplus and advantage of the sale being thereby reserved wholie to your Grace's use ; and this however others, I knowe, followe not, I have allwaies practis'd, and upon my former services therein beene a iust accomptant, by which thoughte I have incurr'd the dislike of my fellowe officers, I am gladd to have made a president for your Grace's advauntage, havinge my affecons without limitation intirelie devoted that waies . . . ¹

In other words Eliot said that he gave the lord admiral the benefit of the sale value of all goods and property rather than the appraised value. But then why did he record in his official account that Nutt's ship was appraised at £77 and sold for £100 ² when in his private accounts he noted that he received from Mr. Smith and others £113 for the same ship ? ³ This is not the only incident of this type. True, there are a number of items which show that at times he followed the practice he described in his letter to the duke.

But the most interesting incident has to do with the seizure and sale of sugar. The only item in his official accounts which deals with sugar is the statement under the date of 3 May 1624, that at Torquay he seized 33 chests of sugar which he sold for £225. ⁴ This money, Eliot said, was paid into the registry of the court of admiralty at the order of that court to meet the claim of the proprietors. And then at Totnes before the commissioners two deponents, John

¹ S.P.D., James I, clxxxv, no. 45.

² *Infra*, p. 14.

³ *Infra*, p. 7.

⁴ *Infra*, p. 15. The only exception to this statement is Nutt's prize, the *Edward and John*, laden with sugar, which he restored, as is recorded on p. 14.

Viguers and Richard Evans, testified that they together with Thomas Bolitho and Thomas Hickes had bought 26 chests of sugar from Eliot's servant, Richard Dyer,¹ for which they had paid £352 8s.² As proof they showed a receipt for this purchase. On examining Sir John's private accounts the first thing to be noted is the seizure of 34 chests of sugar from a Dutch ship in Tor Bay in May 1624.³ Then there appear two separate items of sugar sold to Bolitho which total 26 chests for £352 8s.⁴ Thus the testimony of Viguers and Evans is substantiated. Furthermore Eliot has recorded that he received £77 for five of the remaining chests of sugar⁵ and gave one worth £17 to Sir Edward Seymour,⁶ but he does not account for the two remaining chests in his custody. Actually then Sir John received £429 8s. for the sugar he sold and not £225. Yet another item in his private accounts states that he paid into the court of admiralty 'for the account of the sugars taken at Torr bay' only £119 17s. 2d.⁷ and not the £225 he officially declared he had paid. For this discrepancy some simple explanation doubtless existed. But the real difference lies between £225 and £429 8s. Sir John Eliot seems to have retained £312 10s. 10d. for himself instead of paying it into the court of admiralty for the use of the owners.⁸ And naturally he did not, as he should, give the lord admiral his moiety of this illicit profit.

These disclosures may seem disquieting, but Eliot was probably more honest than most vice-admirals of his day.⁹ His illegitimate profits were no doubt much less than was the case with the majority, for there was a big difference in almost all instances between the assessed and the sale value of property. As his accounts show, many merchants and ship owners received in full what was their due. It is not to be denied that the conventions of the day often allowed the pocketing by agents of undeclared margins. Moreover a share of the profits was claimed by deputies who were often the

¹ Bailiff to Eliot. *C.J.*, i, 900.

² *Infra*, p. 43.

³ *Infra*, p. 3.

⁴ *Infra*, p. 7.

⁵ *Infra*, p. 7.

⁶ *Infra*, p. 7.

⁷ *Infra*, p. 12.

⁸ Compare the findings of the commission, *infra*, p. 49.

⁹ R. G. Marsden, 'The vice-admirals of the coast', *English Historical Review*, xxii, 474, says: 'How much the vice-admirals themselves made by their office is not so clear; it is certain that some made far more than the share (usually one half) of wreck and droits which was their legitimate profit.' Bagg writing to Buckingham on 21 March 1625, speaks strongly, too strongly, about his own honesty in contrast to the implied dishonesty of other vice-admirals. S.P.D., James I, clxxxv, no. 89.

active persons in the handling of a transaction.¹ How far was Eliot in a position to protest that he was more scrupulous than his colleagues?

For the first and third items printed below I wish to acknowledge the facilities kindly granted at Port Eliot by the Hon. Sir Montague Eliot. I am deeply indebted to Mr. A. V. Judges, Literary Director of the Royal Historical Society, and to Mr. F. J. Fisher, for the generous and valuable assistance they have given me. Miss Curran has very kindly made the index.

¹ S.P.D., Charles I, ccviii, no. 11: 'Statutes and ordinances for all vice-admirals and under officers of the admiralty within the realm'. This document (p. 462) states that one-third of the vice-admiral's moiety 'shalbe due and remaine unto the Nottary Register or Clarke and under-marshall or Serjeant serving under every such vice-admirall equally to be devided betweene them . . .' This document comes from a time somewhat later in the reign of Charles I, but undoubtedly its regulations applied to the time of Eliot. There is some question as to whether the officials under Eliot always received the one-third which was their due. *Infra*, pp. 33-35 and 42-43, depositions of Hardwen and Randall, two of his officials.

A. SIR JOHN ELIOT'S PERSONAL ACCOUNTS,¹ 1622-25

Seisures of 1622

- Januarye 20 A shipp at Torr Key left, etc. the twentieth daye of
Januarye to the use of my lord admirall.
26 2 peeces of stript stuffe—10 peeces of fustian—4
bolts of hollond—15 peeces of incle²—6 lookinge
glasses—by vertue of a commission of the high court
the 26th of Januarye.
Februarye 10 A shipp left in Hamose,³ etc. to the use of my lord
admirall.
16 A barrell of silvester⁴ or graines of Rotto brought
out of Ireland to the use of my lord admirall.
25 4 peeces of ordnance with their carriages—6 trucks
—1 quoile of smale ropes—1 dozen of pulleys—1
dozen of nookes—3 basketts of shott from a barge
in Causon⁵ baye to the use of my lord admirall.
[March] 13 A bill from James Batten a piratt for five powndes
to be paid him by Thomas Backnell of Exter to the
use of my lord admirall.
796 ounces of silver bullion brought out of Ireland⁶
to the use of my lord admirall.
Twentye-fower pipes and one hogshead of Malligo

¹ Port Eliot, muniment room, Port Eliot Title Deeds, no. 46.

² *Inkle*, 'A kind of linen tape', *O.E.D.*

³ Hamoaze, the name given to the mouth of the Tamar river as it flows into Plymouth Sound between Torpoint and Devonport.

⁴ *Sylvester*, 'an inferior kind of cochineal'. *O.E.D.*

⁵ Causon, Canson, Cawson, or Cawsand Bay, at the entrance of Plymouth Sound on the Cornish side just after passing Penlee Point.

⁶ By pirates of whom the chief was Michael Rowe. *Infra*, p. 32.

- sacke and one hogshead of Aquavito, saved from a wrecke at Saltcombe to the use of the proprietiers.
- March 17 A barque at Plymouth to the use of the proprietiers.
- 6 Tapnetts¹ of figges at Dartmouth brought from Cap Francis to the use of my lord admirall.
- 1623 Cables and ancors and one mast at Torr Key, lagons² to the use of my lord admirall.
- Aprill 12 3 pipes of white sherrie wines by the allowance of the merchants in respect, etc.
- May 3 19 little piccotts³: 2 piccotts stript: 5 broad piccotts—23 peeces of lace: 5 saies: 3 white nopes:⁴ 33 dozen of ribbin: 39 peeces of fustian: 32 peeces of loomeworke: 3 hides: 8 bolts of hollond: 9 stript fustians: 5 lookinge glasses by virtue of a comission ut supra.
- June ult. A bond from Nutt⁵ for the payment of 500*li.* to the use of my lord admiral.
- A shipp from Nutt the piratt to the use of my lord admirall with sailes tackle.
- 3 Ancors, kedgers, cables 20 peeces of iron ordnance, 14 murderers: 12 chambers: 43 musketts—25 pikes, etc., 31 peeces of cloath and jarres of oile. [blank] packes of calveskynnes—96 Irish hides and some tallowe—32 faggotts of steele—27 barrs of lead and some other smale and ould things.
- 1624 May 1 A shippe of Colchester⁶ brought in as a prize by Nutt loaden with oades⁷ and sugers to the valew of five or sixe thousand powndes restored againe by commission.

¹ *Tapnet*, 'a basket made of rushes, in which figs are imported; also a conventional measure of quantity'. *O.E.D.*

² *Lagan*, 'goods or wreckage lying on the bed of the sea'. *O.E.D.*

³ *Picot*, 'one of a series of small loops of twisted thread forming an ornamental edging to lace, ribbon, or braid'. *O.E.D.*

⁴ Possibly a *nap*, 'a cloth having a nap on it'. *O.E.D.*

⁵ Capt. John Nutt was induced by Eliot to surrender by means of a pardon for which Nutt agreed to pay £500. The pardon was out-dated and therefore worthless, but Nutt did not realise this when he surrendered. Cf. Mary B. Fuller, *In the time of Sir John Eliot*, (1) 'Eliot and the case of John Nutt, a pirate' (Smith College Studies in History, vol. 14, no. 2, 1919); also Forster (1864), i. 41-59.

⁶ *Supra*, pp. viii-ix.

⁷ i.e., woad.

		34 Chests of suger gotten from a Duchman of warr in Torrbay to the use of my lord admirall. A Dutch shipp beinge geiven to a Doverman by a man of warr in exchange, and brought into Brixham with her apparrell and furniture to the use of my lord admirall.
June	4	12 tonnes of quimake ¹ wines at Dartmouth saved out of a wracke.
June ult.		A barrell of suger with a Hollond cheese from a Duchman of warr at Plymouth geiven in respect etc. Baggs of Shumacke at Plymouth and at Dartmouth brought in by shippes that had taken it up : flotinge on the seas to the use of my lord admirall.
Julye	23	3 Chests of bookes at Dartmouth from Captaine Peeter ver Schure a Duchman in respect.
August	16	A butt of aquavite at Plymouth from Captayne Hyatt in respect. Two hogsheads of white wine at Sidmouth landed from piratts found by Kift. ² A butt of sacke at Plymouth from Captayne Hyatt, ut supra.

Receipts, 1622

From		Christopher Pottle of Totnes for figgs bought of Captayne Francis in Torrbay	7	00	00
Febr.	12	For 796 ounces of silver bullion at 5s. per ounce	199	00	00
		William Longe for bullion bought in Ireland	47	00	00
	13	John Shinner of Plymouth 6 p: of bullion silver bought of Nicholas Rowe	15	10	00
	14	Edward Kingman of Dartmouth for goods of a Duchman embeasled	10	00	00
	16	Samuell Oldridge of Bridge towne for figgs bought of Cap: Francis in Torr bay	4	10	00
		Henrye Barton of the like	1	10	00

¹ Cognac ?

² William Kifte was judge of the admiralty in Devon. *Supra*, p. x, n. 3 ; *infra*, p. 39.

	20	Allyn Bartlet of Totness for one ounce of bullion	05	06
		John Tucker of Totness for twentye pownds of silvester and $\frac{1}{2}$ pownde of coucheneale in with Bartlet's bullion was found, bought of Francis Dolton	5	00 00
March	1	Mr. Joye for one butt of wine bought in part	6	10 00
	4	Mrs. Johnson for two butts of wine in parte	12	00 00
		Ciprian Cooke of Saltash for one butt of wyne	6	00 00
		More of him in part for one hogshead of aquavite	3	00 00
	10	John Brend in part for two butts of wine	10	00 00
		Edmund Dockett in parte for one butt of wine	6	00 00
		Mr. Joye for one butt of wine more in parte	6	00 00
	16	Gregorye Bickford for figgs bought of Captayne Francis in Torr baye	1	00 00
	18	Aarthure Staplehill ¹	2	15 00
1623				
March	29	Captayne Scoble for the shipp at Torr keye	120	00 00
	30	Mr. Goodyeare for the barrell of silvester	20	00 00
[April]	10	Mr. Pryor of Plymouth pen. ² pro transport ordnance	10	00 00
		Mr. Jennens ³ by order from merchants of Calais for the barque of wine at Plymouth	25	00 00

¹ Registrar to the judge of the admiralty in Devon, S.P.D., Charles I, lxxx., no. 58.

² Probably a contraction and abbreviation for *poenam*, meaning penalty. According to a proclamation of 10 July, 1621, 'The export of iron ordnance is prohibited.' Robert Steele, *Tudor and Stuart Proclamations*, 1485-1714, i, no. 1314. For transportation of ordnance see *A.P.C.*, 1619-1621, p. 287 and *passim*.

³ Abraham Jennings was one of the collectors of Sir John Eliot. For other activities of Jennings see *Cal. S.P.D.*, 1625-1626, pp. 106, 263, 296; *ibid.*, 1627-1628, pp. 6, 221, 567; *ibid.*, 1628-1629, pp. 201, 214-15.

VICE-ADMIRALTY OF DEVON

5

	24	Thomas Hardwen ¹ for 3 pypes of Sherrie wyne	18	00	00
		Mathew Willes in part for one butt of wyne	6	00	00
			<hr/>		
			542	00	06
May	3	Receaved for 625 powndes weight of shott at ten shillings per cent.	3	02	06
	4	for one quoile of ropes, etc.	1	03	04
		Cypriane Cooke for one butt of wine in parte ulte	6	00	00
	7	Mr. Nicholas Roope for goods of a Duchmans embeasled	11	00	00
	19	Nicholas Harris de Plymouth transport ordnance per pen	7	00	00
	21	Mr. Ditford per Francis le graz [?]	10	00	00
	22	William Rowe of Milbrooke for two peeces of ordnance	27	16	09
		Captayne Scoble of Plymouth likewise for 2 peeces of ordnance	26	00	00
June	24	John Brend for two butts of wine ut supra	14	00	00
		Mr. Streamer for three butts of wine ut	36	00	00
		Mrs. Johnson for 2 butts of wine ut	12	00	00
		Mrs. Johnson for one butt of wine more	11	00	00
		Edmund Dockett and Mr. Joy for 3 butts of wine in parte	18	00	00
Julye	1	Mr. Holworthye of Bristow for calves skynes restored out of Nutt's shipp, per cent.	15	00	00
		Mr. Jennens by order from the Ham-bourrough merchants for the goods, etc. seized by Commission at Dartmouth from Roope and Kingman ut supra	30	00	00
		besides two bolts of Hollond and one peece of loomeworke, which I have for my selfe, worth	7	00	00

¹ Deputy vice-admiral at Plymouth. *Infra*, p. 35.

		rescuinge of the pramb ut ult. Mr. Jennens by order from the Ham- bourrough merchants for the pramb loaden with rye rescued	10	00	00
1624			400	00	00
June	1	Mr. Jennens for the French shipp taken in Hammose per grat.	20	00	00
	23	Receaved in London from the Col- chester men towards my charges, etc.	90	00	00
		Mr. Jennens by order for Ginnye shipp put a shore at Yame with the gould per gr.	6	00	00
Julye	23	Mr. Barnes for two tonns of quan- nick wines	18	00	00
		Mr. Champernowne for one tonne of the same wines	8	00	00
		geiven to Sir Edward Seymour one hodgshead of the same, worth	2	00	00
		geiven to my father-in-lawe ¹ one tonne of the same wines, worth	8	00	00
August	1	Mathew Willes for one hodgshead of the same	2	15	00
	6	Mr. Joye for 3 tonns of the same wines	31	10	00
Sept.	1	Mr. Streamer for two hodgsheades of quiniacke wines	5	05	00
Oct.	3	Mr. Downe of Starr Cross neere Ex- mouth for [blank] peeces of ordnance and [blank] murderers containing 9200 <i>li</i> <i>qr.</i> , at 16 <i>s.</i> per cent.	73	16	00
			910	08	07
	20	per John Norber ² for 6 peeces of ordnance and 4 murderers contain- ing 6000 <i>li.</i> , 3 <i>qr.</i> , 21, which at 16 <i>s.</i> per cent.	48	15	00

¹ Richard Gedy.² Marshal to the vice-admiral at Dartmouth. H.C.A., 30 Miscellanea, bundle 857, and *loc. cit.*, 1, Oyer et Term., vol. 49, fo. 21*v*.

VICE-ADMIRALTY OF DEVON

7

		Receaved of Bolitho in part for the sugers seisd at Tor Keye viz. for whites 3 <i>li.</i> , 15 <i>s.</i> muscovardes 2 <i>li.</i> 15 <i>s.</i> , panelles ¹ 1 <i>li.</i> 15 <i>s.</i> per C.	150	00	00
	26	Receaved more by account and bill from the same in all for 26 Chests —11 white—10 muskovardes—5 panells	202	08	00
Novemb.	3	Receaved from Mr. Bogans for two chests of white sugers	28	00	00
		From Lumley ² for one white more	17	10	00
		From Randall and Norber for one chest white	14	00	00
		From Mr. Parker for one more	17	10	00
		geiven to Sir Edward Seymour one chest more, worth	17	00	00
		For goods and provisions belonging to Nutt's shipp as appeers upon the particulers of Randall's and Nor- ber's accounts	83	04	04
		From Abraham Jennens for 4 peeces of ordnance with 2 murderers and chambers containing 431—0—21, which at per cent.	34	10	00
		From Mr. Smith, etc. at Dartmouth for Nutt's shipp	113	00	00
		From Mr. George Plumleye for the little Frenchman	73	00	00
January	10	Receaved from sevrell of Dartmouth in parte for a butt of aquavita	11	00	00
		Kept out of this account for my selfe one tonn of quennicke wines, worth	8	00	00
		more one barrell of sugers 200 weight, worth	7	00	00
		more one chest of bookes and 2 geven to Sir Henry Marten, worth	[blank]		
		more a butt of Canarye sacke, worth	10	00	00

¹ *Panele*, 'Brown unpurified sugar from the Antilles'. *O.E.D.*

² Richard Lumly or Lumley(e) of Dartmouth, an official of the vice-admiral.
Infra, pp. 11, 41, 42.

SIR JOHN ELIOT AND THE

more ten gs. of salt, worth	5	00	00
Receaved from Randall upon account for eight ancors saved in Torr bay	8	18	06
	<hr/>		
	848	15	10
the total summe of this account	2301	04	11

Disbursments, 1622

		The generall charge of the pattent ¹ and preparinge at Newmarkett and London	60	00	00
Jan.	21	beinge at Plimouth	3	00	00
	30	at Dartmouth nine dayes	10	00	00
Febr.	7	at Plymouth eight daies	10	00	00
		geiven to Michell Rowe, ² etc. after the seasure of their bullion, to help them home	12	00	00
		to the Marshalls for their fees and charges	3	00	00
		Geiven to Hardwen, Hill ³ and Gaye in that business	5	00	00
	8	to Mr. Thomas Woode for charges by him disburst one the wines at Saltcombe in parte	12	00	00
		to Bolytho for intelligence of the barrell of silvester	1	00	00
	24	at Plymouth fowerteen dayes	14	00	00
		to the bargeman and other charges for bringinge the wines from Saltcombe	4	10	00
		for Custome celleridge and other charges of the wines at Saltcombe as by Jo. Rawly's account	51	18	03
		to Causon men for seisinge and bringinge in a barge and ordnance, etc. at Plymouth	4	00	00

¹ Making Sir John Eliot vice-admiral of Devon. ² *Supra*, p. 1, n. 6.

³ Maurice Hill was the trusted confidential servant of Sir John Eliot. He was more than his steward. See 'A probate inventory of the goods and chattels of Sir John Eliot, late prisoner in the Tower, 1633' (ed. H. Hulme), p. vi, in *Camden Miscellany*, xvi (1936); cf. also *infra*, pp. 23, 45.

VICE-ADMIRALTY OF DEVON

9

March	5	at Plymouth five dayes the charge of Causon men for com- minge to Cromwell Passage	5	00	00
	18	at Dartmouth five dayes	1	00	00
	20	at Plymouth 3 dayes geiven to the bargmen that attended the barque in Stonehouse Poole paide to Reite of Weymouth for his barque, etc.	5	15	00
			2	00	00
				14	00
			6	00	00
1623	30	Geiven to some of Quashe's men geiven to Shipley for rightinge the wines	1	02	00
			1	02	00
April	10	for fower iorneyes to Plymouth and Dartmouth	10	00	00
	12	to Mr. Jennens parte of the moneys receavd from Prior for the charge of the wine business upon arrest of the Sherrine shipp upon Hardwen's account to Mr. Jennens part of the monyes receavd from the Callais men for the wine barque	2	00	00
			7	05	00
			5	00	00
May 1623	7	for fetchinge the goods from Mr. Roopes by women for canvas to packe them for carring them to Plymouth my beinge at Dartmouth fower days		02	00
				11	06
			1	00	00
			5	10	00
	10	at Plymouth before my goeing to Dartmouth to Lawrence the shipwright for mendinge the shipp in Hammose and bringinge her about	2	13	00
			2	15	00
			249	17	09
June	3	to Hardwen upon his accompts to Randall upon his accompt for boat hire and other charges in sendinge to Nutt	2	19	00
			2	06	00
			1	07	00
	18	to Norber upon his account to claver geiven to one of Nutt's men	2	17	00
			11	00	

SIR JOHN ELIOT AND THE

		to Nutt for his jorney to London	10	00	00
		to Emerson for his iorney to Exter and Sidmouth		13	00
		for carriage of the Duchmen to gaile	3	00	00
		to Apshonn and Sidmouth spent	4	02	00
		for iron worke and lockes for the ships at Dartmouth	1	10	00
		for carriage of Nutt's chest from Sidmouth to Plymouth		14	00
		delivered to Norber	1	02	00
		Geiven to Francis le Gras		11	00
		at Plymouth in my returne from Dartmouth		11	00
		for footmen and messengers in the business for Nutt	2	00	00
ultim.		at Plymouth one daye and night	1	00	00
		to Wood at Dartmouth in parte for dyet of some of Nutt's companye [these last three words crossed out]	10	00	00
		to Hardwen upon his account	12	00	00
		more geiven him therin	2	00	00
		for settinge out the barque at Dart- mouth to rescue the Hamburger	6	10	00
		for boat hire in Nutt's business	2	00	00
		Geiven to the Sargeant at Dartmouth		05	00
Januar.	23	at Plymouth	2	00	00
June	1624	at Plymouth	3	00	00
	20	Geiven to the men that helpt to rescue the Rye Pramm in Torr Bay	90	00	00
		Geiven to Abraham Jennens upon the same business	50	00	00
		to Sir Henry Marten and 2 wqn. ¹ [sic] in London	90	00	00
		Geiven to Cross ² in London by my lord admirall's order	5	00	00
	24	to the Scotsman for the xii tonns quinnicke wines saved out of the wrack at Dartmouth	15	00	00

¹ *Supra*, p. ix.² This is Humfrie Cross of Dartmouth (*infra*, p. 15) rather than Henry Crosse or Cross, deputy vice-admiral at Barnstaple.

VICE-ADMIRALTY OF DEVON

II

		for the impost and prisage by composition there	13	13	04
		to the boatmen for savinge the said wines	10	00	00
		for rackinge of the said wines to Shipleye	2	00	00
		for bringinge the said wines about	3	00	00
Julye	23	at Exter in the assise weeke	5	00	00
			<hr/>		
			356	11	04
August	1	At Exter, Biddiford, Appledore, etc.	10	00	00
Sept.		At Plymouth	5	00	00
Octob.	5	At Plymouth	1	00	00
		to Thomas Hardwen for halfe a butt of sacke and the halfe charge of custome and impost	7	10	00
	20	at Plymouth		10	00
	21	Geiven to Dyer for his travell to Dartmouth about the sugers	2	00	04
Novemb.	8	to Norber upon his account of the 26 of Ja. 1623	10	18	04
		to Randall upon his account then likewise	6	02	00
		to Randall and him upon their account of the 23rd of Julye 1623	29	19	[page torn]
		to Randall and Norber upon their account of the thirde of November	63		[page torn]
		Geiven to Randall upon that account	6		[page torn]
		to Lumley upon his account for the dyet of Nutt's men	35		[page torn]
1624 Novem.		Geiven to Randall upon Lumleys account in allowance	3		[page torn]
8th [sic]		lent to Randall per Tho. Hardwen at Plymouth	5	00	[page torn]
		to Lumley upon his account for myne owne dyet and my men lyinge there about the sugers and salt business,			

SIR JOHN ELIOT

		etc. from the 26 of Januarye ad hanc diem	41	10	[?]
		at Plymouth	3	16	[page torn]
		for horshire there	1	14	00
		for Custome of the sugers to Mr. Bogans and for the impost and fees as per his note	33	16	04
[Dec.]	8	to a footman that went from Dartmouth to Appledore		10	00
		to Lumley of Dartmouth for Nutt which he had lent him to bringe him in	50	00	00
		my beinge at Plymouth and Dartmouth at my comminge to London payed to my lord admirall upon account ut supra acq.	2	00	00
		Geiven to Alesburye ¹ in London	224	16	11
Januar.	6	at Dartmouth in my comminge from London	20	00	00
		at Plymouth then	1	00	00
		at Dartmouth	1	00	00
		at Plymouth	4	00	00
		payed into the Court of Admiraltye for the account of sugers taken at Torr key	1	05	00
			119	17	02
Febr.	1	payed for fees of Court upon the first account as appeers in the perticulers	17	15	08
			710	00	02 ²
		the total summe of this account	1316	09	03

¹ Thomas Aylesbury, secretary to the lord admiral. See S.P.D., James I, cxlix, no. 78.

² Because complete figures are missing for 8 items where the page has been torn the actual total is £1 19s. 5d. short of £710 os. 2d. The totals have been checked throughout this account and are found to be correct.

B. SIR JOHN ELIOT'S ACCOUNTS IN THE ADMIRALTY RECORDS.¹

[p. 1]

Xmo Decembris
1624

The accompt of Sir John Elliott, Kt., vice-admirall of Devon, for all such shipps, goods, monyes and comodities which he has there receaved and taken by vertewe of his office, and are nowe dewe and to be accompted for to the lord highe admirall of England from the 8th daye of December 1622 unto 29th daye of 7ber laste paste.

Anno 1622

The chard[g]e

Inprimis a Dutch shippe of the burthen of lxxx tunnes taken at Torrkey and theer praysed viii⁰ February at lxxx*li.* sould for

120 00 00²

Item a French shippe burthen 30ty tunnes taken in Hamese and theer praysed xmo February att 36*li.* restored by comission

00 00 00

Item a barrell of Sylvester takne att Plymouth and theer praysed xvith of February att 12*li.* 10s., and sould for

020 00 00

Item xliii pound and a half of silver bullion brought out of Ireland which had been theer bought att

¹ H.C.A., Miscellanea, bundle 158.

² Written obliquely in the right-hand margin 'sould to Scoble for 120'. Cf. *infra*, p. 33.

xlviis. the pound which in all amounts to ciiiii <i>li</i> . viii. taken att Plymouth xximo February and sold for	130	10	00
Item received in monye att the same tyme by waye of composicon of those that had bought other percells of bullion and disposed ytt	045	00	00
Item received by way of composicon likewaies for some that delt in Torrbay for figges	010	00	00

Anno 1623

Item fower peices of iron ordinaunce taken in Cawson Baye, prased 3 ⁰ Maii att xxxii <i>li</i> ., sold for [p. 2]	037	00	00
Item Nutt's shippe burthen lxxx tunnes with some odd musketts, rapiers, half pikes, powder and her apparell, taken att Dartmouth and there prayсед xvito Martii att lxxviii <i>li</i> ., sold for <i>cl<i>li</i></i> ., the value of the appraysment decreed by order of court to be restored; the overplus is	023	00	00
Item in the same shippe xxxty packes of calve skynnes, lxix Irish hides, and some tallowe valewed att 300 <i>li</i> . restor'd by order from the LL. ¹	00	00	00
Item in the same shippe xvii peices of iron ordinaunce, xii murderers and chambers prayсед att 87 <i>li</i> ., sold for	114	00	00
Item in the same shippe xvii peices of course bayes and one packe of Northerne clothe prayсед att 23 <i>li</i> . 10s., sold for	025	02	00
Item in the same shippe some oyle tallowe and butter prayсед att 10 <i>li</i> . 3s. sold for	011	09	00
Item in the same shippe 23 fagotts of steele prayсед att 24 <i>li</i> . 10s., sold for	040	00	00
Item Nutt's chest and clothes sold att Plymouth by the Bell	002	00	00
Item att the same tyme Nutt broughte in a shippe leaden with sugars worth 5000 <i>li</i> . restor'd by order from the LL.	00	00	00
Item att the same tyme a bond taken from Nutt for the payment of 500 <i>li</i> . in Julie after	500	00	00

¹ The lords of the privy council.

VICE-ADMIRALTY OF DEVON

15

Anno 1624

Item 33 chests of sugar taken att Torrkey 3 ^o Maii, sold for 225 <i>li</i> . the monye paid into the Registrye by order of the Court, proprietors clayminge the sugars	00	00	00
Item ¹ an ould shippe called the Flyinge Hart 30 tunnes, taken att Brixham and theer praysed the xixth of Julie att 45 <i>li</i> . sold for	050	00	00
Item more 8 anckors taken att severall tymes in Torrbaye	008	08	06
	<hr/>		
summa totius over	1126	09	06 ²

[p. 3]

Respites

Of which he desiers to be respited upon this accounte for soe much dewe uppon Nutt's bond not yett satisfied	500	00	00
--	-----	----	----

Remaines 626 09 06

Allowaunce

Further he craves to be allowed for soe much given to Humfrie Crosse of Dartmouth by my lord admirall's direcon att Wallingford howse	005	00	00
Item more for clothes and other provisions for Nutt without which he wold not come in	050	00	00
Item more for sendinge him to London uppon com- maund of the LL.	020	00	00
Item more for keepinge of his men att Dartmouth uppon the like commaund and for theer diett theer before theer was order to send them to the common gaole as by the severall disbursments testified in theer receipts	054	00	00
Item the messenger's fees uppon mye second comittment by the LL. for refusinge to yssue <i>c.li</i> . ordered by them uppon Nutt's shippe and goods towards the charge of the piratts pardon	030	00	00
Item for the fees of the court for the confiscacon of the Dutch shippe att Torrkeye as by the perticulers appeareth	005	09	08

¹ Written obliquely in the left-hand margin: 'sold for 73*li*. to Mr. Spurwaye'. Cf. *infra*, pp. 47-8.

² The total is incorrect. It should be £1136 9s. 6d.

Item for the fees of the Court for the confiscacon of
Nutt's shipp and goods as by the perticulers
appeareth

007 00 00

Item for the fees of the Court for the confiscation of
the Flyinge Hart att Brixham

004 16 00

somma allocandus [?] 176 15 ¹ 08

summa receipt 626 09 06

	Remaines	449	13	10 ²
Medietas domino	Admirallo			
debita est		224	16	11

subscribed

J. Elliott

[p. 4 is blank]

[p. 5]

imo 9bris

1625

The accompt of Sir John Elliott, Kt., vice-admirall of Devon for all such shippes goodes monyes and comodities as he has theer receaved and taken by vertewe of his office and are nowe dewe and to be accounted for to the lord highe admirall of England from the 29th of 7ber 1624 unto this present.

Anno 1624

The Charge

Inprimis uppon the last accompte by waye of
respitt for soe much dewe uppon Nutt's Bond not
yett satisfied

500 00 00

Item a French shippe of the burthen of cxxto, loaden
with Banke Fishe havinge been taken by the Turkes
seized att Plymouth imo 8bris, restored by comis-
sion

000 00 00

Item a Turkish carvile, burthen xlto, with 3 peices
of ordinaunce seized att Plymouth 5to 8bris, valued
att 50*li*., theer remayninge

000 00 00

Item 45 ducketts and some ryalls, as by the
inventorye annex appeares, taken att Plymouth

¹ This figure should be 5s.

² According to the corrected totals there would remain £460 3s. 10d.

VICE-ADMIRALTY OF DEVON

17

21mo 7bris from Robert Sommers as pyratts goods, sould for	029	06	06
Item a Portingall shippe burthen cto with her tackle furniture and fower peeces of ordinaunce, brought in att Appledore bye the Dutch West India Compayne and theer bought of the first proprietor coming in her for a hundred and xx <i>li.</i> , and after restored upon composicon for	170	00	00
[p. 6]			
Item a shippe burthen lxxxto with her furniture provisions and twoe peeces of ordinaunce, found att sea as a derelict, and brought in att Lingmouth, by a Dutch man of warre and twere prays'd xmo February att lx <i>li.</i> , as by inventorye returnde appeares, sold for	100	00	00
Item 259 quarters of rye found in the saied derelict and prays'd ut supra att cclix <i>li.</i> , sould for	512	00	00
Item twoe packs of Mewacawoon ¹ Cwt receaved as a gratuitie from a Dutchman att Plymouth, sould for	020	00	00

Anno 1625

Item a shippe of salte with her furniture provisions and 4 peecs of ordinaunce, seized att Dartmouth and theer prays'd 30 Julii att 274 <i>li.</i> 18 <i>s.</i> 4 <i>d.</i> as by the inventorye annex appeares, sould for	433	11	00
Item a shippe of Youghall burden lxxxto, with her furniture and provisions, having rifled bye pyratts, seized att Plymouth and theer prays'd xxviiiio Martii at lxxviii <i>li.</i> xix <i>s.</i> iiiii <i>d.</i> as by the inventorye return'd appeares, sold for	080	00	00
Item Hyatt's shippe burthen cccto with her furniture provisions and twelve peeces of ordinaunce, seiz'd att Dartmouth and theer apprayed 5to Novembris att 678 <i>li.</i> 10 <i>s.</i> which as bye the inventorye annex appeares, fetcht awaye by Sir Edward Seamoure uppon warrant from my Lord	000	00	00
The whole Charge	1845	00	00 ²

¹ Cf. *infra*, p. 34, 'apothecary druggs called macoacum'.

² Should read £1844 17*s.* 6*d.*

[p. 7]

Discharge

Whereof he craves to be discharged for soe much
 paid to Robert Sommers of Plymoth for the
 Dutchmen's dietts from whom the ducketts weer
 taken, before they weer sent to prison, as by
 indenture annext appeares

006 00 00

Item disbursed to the proprietor of the Portingall
 shippe brought in att Appledore accordinge to a
 direction and allowaunce from my Lord Admirall

120 00 00

Item to Samuell Chappell of Appledore for the
 charge of the Portugall shippe and companye
 before she was restored as by his accompt annext
 appeares

021 18 00

Item for the savinge and deliveringe of the rye att
 Tingmouth [*orig.* Lingmouth] as by the accompt
 formerlye return'd

063 09 00

Item for a reward of the Dutche capteyne, that first
 sav'd and brought in the shippe and rye att
 Lingmouth accordinge to a direcon and allowaunce
 from mye lord admirall

050 00 00

Item to Thomas Hardwen of Plymouth for the
 charge of the Youghall shippe and the companye
 that brought her in as by his accompt formerlye
 certified

042 17 09

Item to Richard Randall of Dartmouth for keepinge
 of Hyatt's companye and shippe and other charges
 theeron accident as by his accompt annext

042 10 04

[p. 8]

Item for savinge and deliverye of the salte att
 Dartmouth as by the accompt annext

013 07 00

 360 02 01

Respites

More he craves to be respited uppon this Accompt
 for soe mucht dewe uppon Nutt's bond not yett
 receav'd ut antea

500 00 00

Item for the Turkishe carvill not yett sould
 remayninge unsold ut antea

000 00 00

The whole discharge and respites

867 02 01¹

¹ Should read £860 2s. 1d.

VICE-ADMIRALTY OF DEVON

19

Remaines :	Remaines	985	00	11	¹
Moyetye : Whereof dewe to my lord admirall as for the moyetye		492	5	06	²

Allowaunces :

Of which the accomptant desires to be allowed for soe mutch paied before hand to Mr. Oliver uppon mye lord admirall's order	100	00	00
Item more for the moyetie of Hyatt's shippe taken awaye by Sir Edward Seamoure accordinge to the valewe of the appraysment and mye lord's graunt	337	15	05

the some of allowaunces	437	15	05
-------------------------	-----	----	----

Debte

Soe in all rests dewe to mye lord admirall uppon this accompt	054	15	06	³
---	-----	----	----	--------------

[p. 9]

imo 7bris

1624 A note of goods receaved from Robert Sommers			
Inprimis of the boatswaynes in Spanish ryalls	000	16	00
Item a peece of gold	001	02	00
Item in a payer of ould shoes	000-6.		
		ducketts	
Item a peece of Flemish gold	000	06	06
Item of James Sedfarfe the Scott in small ryalls	01	00	00
Item more	000-6.		
		ducketts	
Item of Roke or Rogus in small ryalls	001	06	00
Item more	000	07	
		ducketts	
Item in English silver	000	12	00
Item of the trumpeter in ryalls	005	00	00
Item more 6 buttons enameled			
Item twoe double pistoletts			
more 9 Ducketts			
Item quarter Ducketts tenne			
more one French Crowne	000	06	00

¹ If the 'charge' is £1844 17s. 6d. and the 'discharge and respites' £860 2s. 1d., there remains £984 15s. 5d.

² The moiety of the indicated balance should be £492 10s. 5½d. The corrected figures give £492 7s. 8½d.

³ Correct if the moiety is read as £492 10s. 5½d.

Payed out of this to the saied Robert
Sommers for for [*sic*] theer dyett and
expens which he payed them in monye
and victualls before they went to the
gaole the some of six pounds [*sic*]

000 06 00

subscribed bye

Tho: Hardwen and

Robert Sommers.

Vera copia

subscribed thus. ext.

Jo: Elliott

[p. 10]

An inventorye and appraysment of a certeyne shippe
called the Joshua latelye brought in within the harbour
of Dartmouth bye Capteyne Robert Hyatt and theer
sequestred to the use of mye lord admirall of England, and
of all such thinges as doe nowe belonge unto her, made the
fifte daye of November anno domini 1625 by us John
Gatchwell of Kingsweere in the countye of Devon marryner
Wm. Harnatt Anthonye Fox and John Cornishe of
Dartmouth aforesaid marriners, and is as followeth,
vizt.,

Inprimis the saied shippe the Joshua with her
masts, yards one suite of sales, roapes, tackle, three
cables, three ankors, one kedger, twoe flaggs, one
ensigne, one pendent and fower waste clothes, we
estimate and valewe att

356 00 00

Item twelve peeces of iron ordinaunces, vizt., eight
demie-culveringe and fower saker (the waight of
them uncerteyne) we estimate and valewe att

270 00 00

Item twoe murderers we estimate and valewe att

00 02 00

Item sixteen musketts and three callivers we
estimate and valewe att

009 00 00

Item six barrells of powder we estimate and valewe
att

024 00 00

Item fifteen bandealers we estimate att

000 15 00

Item for the nyne bundles of matche we estimate
and valewe

000 08 00

Item 14teen curtlexaxes and one sword we estimate
and valewe att

001 08 00

Item 9 crowes of iron we estimate and valewe att

001 00 00

VICE-ADMIRALTY OF DEVON

21

Item one hundreth and sixtie bulletts and fortie crossbarrs and longer shott we estimate and valewe att	006	00	00
[p. 11]			
Item twentye fower half pykes we estimate and valewe att	001	00	00
Item 16 springes and ladles we estimate and valewe att	000	15	00
Item one chest of paper cartrages we estimate and valewe att	000	02	06
Item twoe kettles and one furnace we estimate and valewe att	003	00	00
Item one case of bottles we estimate and valewe att	000	02	04
	<hr/>		
Subscribed bye	657	10	10 ¹
Jo: Gathwill			
Wm Harnetts			
Wm Fox			
Jo: Cornish			

Vera Copia

subscribed thus
ext J: Elliott

[pp. 12-16 blank]

[p. 17]

The accompt of Richard Randall for the charge of
Hiatt's shippe and men from the tyme of theer cominge
into Dartmouth and arest theer untill the warrant of
discharge and deliverye for mye lord admirall.

Inprimis for half a mutton sent aboard the sicke men	000	04	08
Item paid for a shrowde for one that died aboard	000	05	00
paied for the boatehier that carried him to the grave	000	00	06
paid unto the preist and clerke to burye him	000	04	00
paid for an other halfe mutton	000	03	00
paid for trymminge 4 pistolls	000	05	00
paid for 3 men's suppers sent by Backeneer	000	02	00
paid for boathier that day	000	01	00
paid to a boate that landed the sayles	000	01	06
paid the men for ther paines	000	02	04

¹ The total should be £673 12s. 10d.

given unto bande beinge sicke	000	04	06
paid for an other shroude	000	05	00
paid a yeoman to shroude him	000	03	00
paid for a boate to carrye him to his grave	000	00	06
paid to the preiste and clerke for buryinge of him	000	04	00
paid for 2c. [? cwt.] of bread	001	19	00
given severall of your sicke men being called by them before the Mayor	001	15	00
paid for broomes to sweepe the shipp	000	00	02
paid Tamson the gunner for fower sicke men beinge theer one moneth sicke	002	15	00
paid for poysoninge the ratts	000	01	00
paid Joane Faticscue for sicke men's dyetts	002	06	03
paid Stephen Chapman for sicke men's dietts	001	15	00
paid ten men for moringe the shippe	000	07	06
paid Tho. Smith for sicke men's diet	000	16	00
paid John Newmen's men for moringe the shippe	000	15	06
paid for bringinge the anckor ashoare	000	01	00

[p. 18]

paid for caryinge the anckor to have ytt stockte	000	01	00
paid to ten men to lay out the anckor	000	05	00
paid for an anckor stocke and makeinge	000	15	00
paid unto 4 men for keepinge the shippe 20 dayes	004	00	00
paid for a boate and 4 men to drye the sales and bringinge ashoare the great shott	000	02	06
paid for romadyinge the sayles and matche	000	00	06
paid for landinge the crosbowe shott	000	00	06
paid for Bucbenburye's dyett and washinge 9 weekes	004	10	00
For a man to washe the shippe 8 weekes	002	08	00
paid for unrigginge the shippe	000	09	00
paid for newe moringe of the shippe, the 5th of June	000	15	00
paid for poysoninge the ratts	000	01	04
paid for thrums	000	03	00
paid for mappstaves	000	02	06
paid for 6 barrells of tarr 30th of June	005	00	00
paid for pitch then att the same tyme to pitche the shippe	002	14	00
paid for a pitch pott	000	04	00
paid for boatehier	000	02	06

VICE-ADMIRALTY OF DEVON

23

paid for 5 men's labor 4 dayes to pitche the shippe	001	00	00
paid for pumpe boxes and leather	000	03	02
paid for newe moringe the shippe the xvith of 7ber	001	00	00
paid more for removinge her against a storme the 20th of 7ber	001	00	00
The some is charged in the begininge of the accompt for dyett of the sicke men	042	10	04 ¹
and etc. weer bye the speciall comaund of the mayor of Dartmouth			

Subscribed
Richard Randall

Vera Copia

subscribed thus
ext J Elliott

[p. 19]

The accompt of Maurice Hill concerninge the savinge and
deliverye of the Flemish shippe and salte brought in at
Dartmouth.

Inprimis disburst to the Flemynge that first brought her in	001	10	00
Item for unloadinge the salt for deliverye measur- inge and attendance therein as by the perticulers of Randall's Accompt	006	18	04
Item to the prayzers that kept the accompt of the salte att the deliverye	001	10	00
Item for kayage	000	02	00
Item for chainage.	000	06	08
Item for myne owne expences and charge for mye self and mye horsse three weekes and odd dayes in attendance of this business	000	03	00
	13	07	00 ²

subscribed
Maurice Hill

Vera Copia

subscribed thus
J Elliott

[p. 20 blank]

¹ The total should be £39 14s. 5d.

² This total should be £10 10s.

[p. 21]

Imo 8bris 1626

The accompte of Sir John Elliott, Kt., vice-admirall of Devon for all shippes, goods, monies and comodities by him receaved and taken bye vertewe of his office, nowe due and accomptable to the lord highe admirall of England from the first day of 9ber 1625 unto this present.

Charge

Inprimis remayninge upon the laste accompte bye waye of respitt for soe muche dewe by Bond from Nutt ut antea	500	00	00
Item likewise remayninge att Plymouth a Turkish Carvile with her ordinance and provision valedwed att 50 <i>li</i> . taken awaye and disposed bye Mr Gabriell Marshe ¹	000	00	00
Item receaved in money from a Frenchman havinge been rifled and turnd of by the Turkes for salvage	100	00	00
Item uppon like composicon from one of Appledore his Barke likewise taken by the Turkes and recovered and brought in againe by the Christians for salvage	020	00	00
Item a cable and anckor and iiiii c weight of cur-rants landed by a pyratt att Sallcombe and theer taken remayninge unsold	000	00	00
Item for a French barke taken by one of Mounsieur Sowbize ² his capteynes and brought into Dartmouth by way of composicon for salvage	020	00	00
Item two cases of pictures and a chest of stufes seized att Dartmouth in a Hamburger, restored bye order of the lord admiral	000	00	00
[p. 22]			
Item fortie thowsand of Newfoundland fish, 900 hides, twoe thowsand weight of agaricke, one hundreth fitye pounds of salsaperilla, three hundreth chests of sugar, and one elephant's tooth, taken at Dartmouth from a Mercillian cominge from Sallie and theer pras'd as bye the inventorye return'd, appeares att	240	05	00
claym'd by the proprieter	000	00	00

¹ Marshal of the admiralty in London. *C.J.*, 1. 828.

² The Duc de Soubise; in command of the Huguenot naval forces.

VICE-ADMIRALTY OF DEVON

25

Item a Lubecke cominge from Malligo laden with
wynes and fruites, stayed att Dartmouth, and
restored by order

000 00 00

Item a Turke's man of warre, burthen 50 tonnes,
with all her tackle and furniture, five peece of
ordinaunce, 2 barrells of powder, 2 murderers and
chambers, 20 musketts, 27 swards, one boate, and
other provisions, valewed at 200*li.*, seized at
Plymouth remayninge unsold

000 00 00

The whole charge

640 00 00

Discharge

Whereof he craves to be discharged for releife
given to the Christians, beinge in number 15, that
recovered and brought in the barke att Appledore,
havinge slayne the Turkes, att xxs. a man

015 00 00

Item the charge of officers and attendants att
Appledore uppon that service uppon theer cominge
in

005 00 00

Item given to the leutenant of the fort att
Plymouth for his assistance and travayle and the
service and helpe of his souldiors to gett in and to
preserve and keepe the Frenche shipp when she
came first before the harbour after she had been
rifled by the Turkes

010 00 00

[p. 23]

Item to fower boates of Plymouth and Osson like-
wise ymployed for the savinge of the French shippe
ytt being stormie and dangerous weather when she
came in

008 00 00

Item to twoe men that watch't the shippe for six
weekes night and daye after she came in untill she
was restor'd againe by comission

004 04 00

Item unladinge part of the goods out of the
Lubecker att Dartmouthe att her first cominge to
lighten the shippe, havinge taken water and beinge
leake, without which the fruites would all have
perisht

020 00 00

Item the charges of my servant's journeye to
Dartmouth and his expence theer uppon mye lord
admirall's letter of the second of February last for

the sendinge upp of the shippe and goods to London	005	00	00
Item for shippinge of the goods againe out of the sellers	020	00	00
Item to Mr. Smith for 3 sellers for seaven monethes while the goods weer landed	019	00	00
Item to Mrs. Gourney for one celler for the like tyme	002	11	00
Item to twoe men that kept the shippe lyinge continewallye aboard night and daye, att 7s. a man the weeke, in all 20ty weekes	021	00	00
Item for fees of the court for severall acts, confiscacons and dispatches	014	10	00
[p. 24]			
allowaunces			
Item he craves further to be allowed for the moyetye of the Turke's carvell att Plymouth with her ordynaunce and provisions dispos'd bye Mr. Marshe accordinge to the valuacon formerlye certified	025	00	00
the whole discharge and allowance	159	00	00 ¹
Remaines	00	00	00
Of which he desierrs respitt for soe mutch dewe upon Nutt's Bond not yett satisfied ut antea	500	00	00
Soe in all (besides the respitt) theer remaynes dewe to the accomptant beyond his receipts	019	05	00 ²
[p. 25]			
2 Accompt see			
An inventorie and appraysment of a certeyne shippe, her ladinge, apparell and provision, late taken bye Turkish pyratts and by them turned of, and afterwards brought within the harbour of Dartmouth bye a baly man; indented and made by Richard Smithe, John Streate the younger, Wm. Reve and Alexander Cosen, uppon their corporall oathes the 30th daye of Julye Anno Domini 1625.			
Inprimis the saied shippe, with one suite of sales and yardes, 2 cables, 2 anckers, one kedger, and a peece of old haulser, with her rigginge roapes, we apprayse att	150	00	00

¹ Should read £169 5s.² Should read £29 5s.

VICE-ADMIRALTY OF DEVON

27

Item for their loadinge of salte the quantity un-	
certeyne we apprayse att is. viii <i>l</i> . the bushell	000 01 08
	the bushell

Item 4 peeces of iron ordinaunce, vizt., 2 falcons	
and 2 falcnetts, with their carriages we apprayse	
att	017 00 00

167
besides the salt

subscribed

Rich: Smith, John Streate, Wm. Reve,
Alexander Cosen,

And the saied Wm. Reve, and
Alexander Cosen, beinge likewise
sworne to attend the deliverye and
accompt of the saied salt, doe
certifye the quantitye in all to
contayne 259 quarters and 4
bushells, againe subscribinge

Wm. Reve and Alex. Cosen.

The saied salte beinge 259 quarters ut supra, att	
is. viii <i>l</i> ., the bushell, amounts to	107 18 04
The whole appraysment	274 18 04

Vera Copia

subscribed thus

J. Elliott.

[p. 26]

An accompt of the charge which hath been disbursed by
Samuell Chappell for the Dutch shippe of Viana and her
company, from her first cominge in att Appledore untill
this present daye, beinge the 26th of February 1624.

Inprimis payde to Phillippe Morgan for carryinge	
the Dutchmen to the gaole	002 10 00
Item ytt cost me when I went to Biddeford to Mr.	
Woodlane's with the comission, for the constables	
dynner and Robert Meade's and mye owne	00 02 00
Item payde for landinge the salte	00 11 00
Item for rome doinge [<i>sic</i>] the goods in the shippe	
when we tooke an inventorye of ytt	00 05 00
Item payed to the men to hoyses out the goods and	
to the porters to carrye ytt to the sellers	03 08 06

Item paid to John Willses for the dyett of the Dutchmen as by his note of perticulers doth appeare	001	12	02
Item paid to John Willses for the dyett of Robert Meade the constable and mye self when we weer in these businesses	01	02	06
Item payed to Phillippe Morgan for the dyett of five more of the Dutchmen, eight dayes, 4 att 8 <i>d</i> . the daye, and one att 18 <i>d</i> . the daye, he being sicke	001	13	04
Item payed for the dyett of twoe more of the Dutchmen att Forlands for 6 dayes and $\frac{1}{2}$ at 20 <i>d</i> . the day is	000	10	10
Item paid for 2 locks for the seller doores	000	01	00
Item paid to the constable, which he paid out to one Mage, who conveyed the Dutch capteyne to the Gaole; more theer was paid 7 <i>s</i> . and 12 <i>d</i> . to the boate and footemen to cary the Dutchmen to Bideford, and for candles to worke by in the shippe 2 <i>s</i> . 6 <i>d</i> ., all beinge	00	10	06
[p. 27]			
Item for bringinge upp the shippe and moringe her	00	12	00
Item paid Wm. Wise to worke in the shippe	00	02	06
Item payed to twoe men to lye aboard the shippe before the goods weer landed, 47 dayes and nights att 2 <i>s</i> . the daye for booth	04	04	00
Item to twoe carpenters to calke the shippe xs. viii <i>d</i> .	000	10	08
Item payed for trayne to temper the pitche	000	02	00
Item to the constables for his charges in the shippes busines	000	16	00
Item paid for three sellers to putt the goods in	001	08	08
Item paid to Deracote's wief for the dyett of 3 Dutchmen which was left unpaid	000	03	09
Item payed to the 4 prayzers of the goods	000	04	06
Item for a seller to keepe the shippes roapes and provisions in	000	17	00
	<hr/>		
subscribed some is	021	18	00 ¹
Samuell Chappell			

Vera Copia

subscribed thus
ext. J. Elliott

[pp. 28-32 blank]

¹ The total should be £21 7*s*. 11*d*.

C. DEPOSITIONS ¹ TAKEN IN 1627

[fo. 139r]

Depositions taken at Plymouth the 10th and 11th dayes of October 1627 before Sir John Chudleigh, kt. and barronett, Sir Bernard Grenvill, Sir William Strowde and Sir James Bagg, knights, John Moham [Mohun], John Drake and William Kifte, esquires, Comissioners, vzt :—

Richardus Belmayn de Plymutha armiger annos agens xxxiii annorum aut eo circiter testis productus juratus et examinatus deponit ut sequitur :—

Ad secundum interrium ² hee deposeth That hee well knoweth that Sir John Elliott, kt., vice-admirall of Devon since the tyme

¹ Port Eliot, bookery, bound vol of MSS . ' Collections by and concerning Sir John Eliot, 1622-1629 ', fos. 139r-164v.

² Cf. *supra*, p. x, n. 3. The commissioners were provided with eight *interria* or subjects for interrogation. The depositions are concerned with the first three *interria* only, which are worded as follows :—

' Imprimis what piratts or men of warr or their prizes within these three years last past have arrived or beene broughte unto or neere any porte or harbor within the vice-admiralty of the county of Devon. Sett downe the names of the captaines, masters and shippes of what country or nation they and their severall companies were . . .

' Item what shippes, barkes or other vessells ; jewells, monyes, goods, wares, merchandises or other goods belonging to pyratts or piratically taken at sea by pyratts or men of warr within the time aforesaid, have been sente or broughte into or neere any partes of the said vice-admiralty of the county of Devon ; what were the qualities, quantities and values thereof ; who sent or broughte them and to whose hands or possession came all, every or any parte thereof . . .

' Item whoe within the said vice-admiralty have bine usuall victuallers, relevers and traders with pyratts and men of warr, whether are there any within that vice-admiralty that are knowen or comonly reported to have benefitted and maintained themselves, or increased their estates by that meanes. Sett downe the common estimate of what they have gotten by such meanes. . . . '

of his vice-admirallshippe of Devon, which was aboute fower or five yeares nowe laste paste, seized into his handes at Plymouth one barrill of silvester, as the party that lost it confessed which as hee thincketh weighed upwards of one hundred weighte.

Robertus Barker de Plymutha mercator annos agens liiii annorum aut eo circiter testis productus juratus et examinatus deponit ut sequitur :—

Ad secundum interrium hee deposeth that [fo. 139v] aboute fower or five yeares nowe laste paste a shippe of London called the Neptune, whereof Thomas Wood was master, beinge homewards bounde from Mallega was by a storme put a shoare at Salcombe, out of which shippe there was saved with the helpe of the company of the shippe and some of the country people, whoe were contented by the saide master for their paines, twenty fower pipes of Malega wines and twoe hogsheades of aquavitae, which was landed at Salcom into a seller and lefte in the custodie and under the locks of his Majestie's officers of the Customes there; and the saide Thomas Wood, the master, departed for London to acquainte the owners and proprietors whoe dwelte in Callice, thereof to take course for the saide goodes and this deponent further saith that Sir John Elliott, kte., the then vice-admirall of Devon, came to Salcome, and by color of his said office of vice-admirall, with a stronge hand hee forceably dispossessed his Majestie's officers of the customes, whereof one of their names was Kingston, of the saide wyne and solde and disposed of the saide wyne and aquavitae [fo. 140r] to severall persons at his pleasure. And this deponent haveinge some shorte tyme after received a procuration from the proprietors and owners of the saide goodes to recover and receive the saide wyne and aquavitae from Sir John Elliott, hee this deponent came unto him in Plymouth and acquainted him with his said procuration and required the delivery of the saide wyne and aquavitae, to whom Sir John Elliott replied that hee shoulde have an accounte of the wyne that were sould, but longe deferred this deponente, till after much sollicitinges and threatneings by this deponente made unto him aswell when hee was at the Parleament house as elsewhere, that hee woulde complaine of him at the Councell table and to my lord admirall yf hee made not restitucon of the saide goodes, the saide Sir John Elliott, aboute twoe yeares after, delivered this deponent an accounte which this deponent nowe showeth at the tyme of his examinacon, wherein hee chardgeth himselfe that hee made one hundred and sixty twoe poundes of the saide wyne and

aquavitae and chardgeth' eighty eighte poundes for chardges disbursed aboute the same, besides [fo. 140v] the impostes and duties to his Majesty, as by the said accounte appeareth, whereof a true coppie under the comissioners' handes is lefte with them ; whereas this deponente knoweth the saide pipes of wyne were some sould for twelve poundes and thirteene poundes a pipe, soe as hee this deponente conceaveth the saide wyne and goodes were worth above three hundred poundes. And this deponente alsoe saith that aboute a yeare after the saide Sir John Elliott had given this deponent the saide accounte, with much attendinge and earnest solliciteinge hee gave this deponent his bond in twoe hundred poundes for the payment of one hundred poundes to this deponent, which bond was dated the last day of August and was to bee paid the first day of January next enseweinge, the date thereof not expressinge in the saide bond the yeare of the Lorde nor the yeare of his Majestie's reigne as may appeare by the saide bond nowe shewed to the comissioners at the tyme of his examinacon, whereof a true coppie is lefte in the commissioners' handes and testified alsoe under theire handes. And this deponente [fo. 141r] saith that the saide bond beinge by him soe fraudulently made lieth in this deponent's hands forfeited and unpaid.

And hee alsoe deposeth that aboute fower or five yeares nowe last paste there was a shippe called the St. Michael of Amsterdam, whereof John Ranckins was master, brought into Torbay laden with figgs and other comodities by a Dutch man of warr ; and the captaine of the saide man of warr disposed and sould some of the saide figgs and other goodes to divers inhabitants there aboutes of Totnes and Exeter, and Sir John Elliott compelled Mr. Bartlett, whoe dwelleth at Totnes or at Exeter, with others to compounde with him for dealeinge in the saide goodes. And this deponente saith that some tyme afterwards the saide Sir John Elliott solde the saide shippe to Mr. John Scobell of Plymouth in whose custody shee it remaineth ; and hee alsoe deposeth that hee this deponent hath received a procuration from the saide owners and proprietors of the saide shippe and goodes to recover the same ; and in regard that Sir John Elliott hath as vice-admirall compounded with many parties [fo. 141v] for dealeinge in the saide goodes hee this deponent hath foreboarne hitherto to deale further in the said procuration.

Johannes Shynner de Plymutha aurifaber annos agens lii annorum aut eo circiter testis productus iuratus et examinatus deponit ut sequitur :—

Ad primum secundum et tertium interria hee deposeth that aboute three yeares nowe last paste this deponent did buy in Plymouth of one Michaell Rowe of Dartmouth, a sayler that came out of Ireland from a Dutch man of warr called Captaine Yeop, six pounds wighte of silver at the price of three shillings eighte pence the ounce, and paide him for the same ; but Sir John Elliott kte, vice-admirall heareinge thereof, tooke apprehended and comitted to prizon for piracy the saide Rowe and others of his company, beinge aboute six or seaven men, and tooke from him and them all or the most parte of the money they had, and which this deponent paide him the saide Rowe for the same, and hee released and suffered the saide Rowe and company to departe ; and [fo. 142r] afterwards the saide Sir John Elliott sent for this deponent and examined him on his oath what bullion or silver hee had boughte of the saide Rowe, which this deponente confessed to bee six poundes weight as aforesaide ; and hee deposeth that the said Sir John tolde this deponent that hee had formerly taken more silver and bullion from some others of the saide Rowe's company which hee had sould to Mr. Bartlett of Exiter goldsmith at the price of fower shillings ten pence the ounce ; and that if hee this deponent would not give him soe much money over and above as it came unto accordinge to that rate, hee woulde either comitt him to prizon or binde him over to appeare at London in the high court, whereuppon this deponente for his quiet was constrained to give to the saide Sir John Elliott nyne pounds odd money to make it upp just to Mr. Bartlett's price as aforesaide ; and Sir John gave this deponente his release and acquittance for the same, which acquittance is showed to the comissioners and a coppie thereof delivered them, which is testified under the comissioners' hands. And this deponente [fo. 142v] further saieth that aboute that tyme hee contracted alsoe with one of Irelande called Lange for thirty six poundes of bullion more which belonged to some of the saide company, but the saide Lange tolde this deponente that Thomas Hardwen of Plymouth had seized the same and carried it to Sir John Elliott.

Johannes Bardsey de Plymouth aurifaber annos agens xlii annorum aut eo circiter testis productus iuratus et examinatus deponit ut sequitur :—

Ad secundum interrium hee deposeth that aboute three or fower yeares now last paste this deponente was in hand to buye some bullion of certaine Englishmen that came out of Irelande, but before hee could enjoye the bargaine Sir John Elliott the vice-admirall

thereabouts which had five peeces of ordinance one barrill and a remnant of powder with some other provisions which were inventoried and brought into Plymouth and there staid by this deponent which saide shippe and furniture was released againe to the Turcks by an espetiall warrant from the lords of his majestie's privy councill.

And hee deposeth that there was aboute three yeares since a French shippe laden with banckfish stayed at Plymouth by Sir John Elliott, which shippe was stayed and released in this deponents absence soe as hee knoweth not by what warrant the same was released.

And this deponent saieth that aboute three or fower yeares last paste Sir John Elliott with this deponent seized on in Plymouth in the house of one Somers there certaine ducketts, spanish ryalls, and five or six enameled buttons, which had bin lefte there by some supposed pyratts, to the valewe of twenty five or twenty six pounds ; and this deponent saieth that Sir John Elliott did aboute three yeares last paste seize on in Plymouth out of a Dutch [fo. 144v.] freebater twoe backs [?] packs] of apothecary druggs called macoacum, but hee knoweth not the weighte thereof, but understoode yt was sent to London by Sir John Elliott.

And this deponent saieth that there was certaine bullion seized on in Plymouth aboute three or fower yeares since by Sir John Elliott, kte., but of what quantity or weighte yt was this deponente knoweth not, for that Sir John Elliott would not suffer this deponent to see the weighte thereof, nor would admitt him at any tyme to bee presente or privy to any composition hee made with any man, but hee understood by others that it was aboute forty pounds weighte. And this deponent further saieth that the persons from whome the saide bullion was taken nor [sic] permitted to departe but uppon what tearmes this deponent knoweth not.

And hee further deposeth that aboute July 1626 theire came a Dutch freebooter into the sounde of Plymouth called Jacob Johnson Bonticowe with a shippe that had spent her masts and had some salte in her, and would not come under commande untill they had agreed with my lord admirall [fo. 145r] officers for my lord's duties, whereuppon this deponent, being aucthorized from the vice-admirall Sir John Elliott, did compoude with the saide Bountecowe for fiftene poundes, uppon which hee came in and made sale of his salte, and departed away againe, and paide the saide fowerteene pounds to this deponent, which hee hath paide over to Sir John

Elliott; and hee further deposeth that aboute September then followeing hee received of a Dutch freebater that broughte in some banckfish for the like composition twoe thousand of banckfish, which this deponent sould for twenty pounds, and paid the money to Sir John Elliott alsoe hee alloweing this deponent his chardges out of the same.

Felicia Gill de Plymutha vidua annos agens lxxiii annorum aut eo circiter testis in hac parte productus iuratus et examinatus deponit ut sequitur :—

Ad secundum interrium this deponent sayeth that aboute three or fower yeares nowe last paste there were certaine English pyratte whereof on[e] was called Barnes and [fo. 145v] the other Rowe, with three or fower others, that broughte into Plymouth out of Ireland certaine silver which Sir John Elliott, knight, the vice-admirall, seized and tooke from them and comitted them prisoners to this deponent's husband John Gill deceased, the then marshall of the admirallty of Plymouth, where they remained prisoners the space of ten dayes or thereabouts, at which tyme Thomas Hardwin of Plymouth, the deputy vice-admiral, often tymes repayed unto them; and this deponente further sayeth that the saide prisoners were enlarded and released from prizon by Sir John Elliott and suffered to departe; and this deponent's husband was not paid any thinge for their diett or keepeinge of them, although her husband often tymes was a suyter to Sir John to bee payd.

Moyse Goodyear de Plymutha mercator annos agens lii annorum aut eo circiter testis productus iuratus et examinatus deponit ut sequitur :—

Ad secundum interrium this deponent [fo. 146r] saieth that aboute three or fower yeares last paste there came certaine Englishmen passingers into Plymouth out of Ireland reputed to bee pyratte, from whome as this deponent crediblye hearde, Sir John Elliott tooke bullion and some silver and comitted the men to prison; and in the saide barcke that broughte those men over one Mr. George Buradge of the Bantry in Ireland sent over to this deponente a barrill of silvester to bee sent to London for his accounte, which saide barrill of silvester, weigheinge neate one hundred twenty five poundes or thereabouts, Sir John Elliott, kte. seized and tooke away and afterwards this deponente boughte it of Sir John Elliott againe for the some of twenty pounds, and had Sir John Elliott's acquittance for the same, nowe showed to the comissioners of the which hee hath lefte a coppye.

Michael Prior de Plymutha mercator annos agens xxxviii annorum aut eo circiter testis productus iuratus et examinatus deponit ut sequitur:—

Ad primum et secundum interium this deponent saieth that aboute three or fower [fo. 146v] yeares now last paste one Richard Lane of Plymouth boughte of one of Mr. Delbridge's servants of Barnstaple out of a shippe called the Bonanova fower peecees of ordinance of eighteene or nynteene hundred a peece or thereabouts, which saide ordinance the saide Lane sould to this deponente and to Nicholas Harris of Plymouth, and this deponente saieth that the saide ordinance with other goodes as cordage and other things boughte by Harris in Plymouth, to the valewe of eighte pounds or thereabouts, beinge putt into a bagg in Oaston[?] to bee carried to Falmouth or Helford, and Sir John Elliott, kte., the vice-admirall, by himselfe, or some of his officers for him, seized the said ordinance and other goodes in Causon Bay and tooke them into his custody and kept them; and afterwards this deponente being much threatened by Sir John Elliott to bee comitted or sent to London for dealeinge therein, hee was perswaded by Mr. Abraham Jennings of Plymouth to compound with Sir John Elliott, and to give him twenty poundes to bee quiett, which this deponent accordingly consented unto, and paide Sir John Elliott the saide twenty poundes, uppon the faithfull [fo. 147r] promise of the saide Sir John Elliott that the saide composition of twenty poundes should absolutely cleere and release the saide deponent Harris Lane and James Pike of Oaston[?] from all further demaunds, or troubles concerninge the same; notwithstandinge some shorte tyme after this composition Sir John Elliott sent for the saide Nicholas Harris and, after hee had much threatened him, hee bounde him over by bond to appear in London to answere the buyeing or sending to Falmouth the saide ordinance and other goods in the high courte of the Admirallty, yett afterwards by composition betweene them the saide Nicholas Harris to save his goeing to London payd the saide Sir John Elliott the some of fiveteene poundes more, as the saide Harris tolde this deponent, for the saide Harris received of this deponent the halfe of the saide fiveteene poundes for his parte.

Johannes Marven de Plymoutha nauta annos agens xxx annorum aut eo circiter testis productus iuratus et examinatus deponit ut sequitur:—[fo. 147v]

Ad primum et secundum interium this deponent saieth that fower yeares since or thereabouts hee was willed to take into his

barge from Oasten[?] key by an Englishman, a stranger to this deponente, fower peeces of ordinance with their carrages beinge mynions to carry to Plymouth, and there to take in some other goods, which this deponent accordingly did, and then received into his barge from Nicholas Harris of Plymouth some cordage, shott and some other goodes and provisions which the saide stranger tolde him hee should carry into Causon Bay, and there to attend his order and direction wheather to goe with the saide ordinance and other goods; and this deponent saith that when hee came into Causon Bay and there had staied aboute three howers there came a boate with some officers aboard his barge and made stay of her all nighte, and the next morneinge brought her into Plymouth where the said ordinance and other goodes were seized on by Sir John Elliott and handed into his sellers in Plymouth. [fo. 148^v].

Willimus Rowe de Stonehouse mercator annos agens xxxv annorum aut eo circiter testis productus iuratus et examinatus deponit ut sequitur:—

Ad secundum interrium hee deposeth that aboute three or fower yeares nowe past this deponent with Mr. John Scoble, Symon Rowe and John Rowe bought of Sir John Elliott the vice-admirall a Dutch shippe of the burthen of one hundred tonnes or thereabouts which shippe was brought into Torbay and there seized on by Sir John Elliott, and this deponente and company aforesaide payd unto the saide Sir John Elliott for the saide shippe one hundred and twenty poundes whereof they paide him in hand one hundred and ten poundes and gave him their bonds for the ten pounds to bee paide him at the returne of the saide shippe from Newfoundlande or Virginia, which saide ten pounds was after accordingly paide.

Nicolaus Harris de Plymutha mercator annos agens xliii annorum [fo. 148^v] aut eo circiter testis productus iuratus et examinatus deponit ut sequitur:—

Ad secundum interrium this deponent saith that aboute fower or five yeares nowe last past there were fower peeces of ordinance boughte in Plymouth out of a shippe called as hee hath heard called the Bona nova of Barnstable, which saide ordinance were firste boughte of Mr. John Delbridge's servant of Barnstable by Richard Lane and Michael Pryor of Plymouth, and aboute that tyme this deponente was entreated by one Maurice Hawkins and an Englishman to asste him to buy the saide ordinance of the saide Lane and Pryor, which this deponent accordingly did and the saide

ordinance were laden at Oaston[?] key into a barge and broughte to Plymouth in her ; there was alsoe putt into the saide barge vii C and one quarter w[eigh]te of iron shott, one coyle of roapes with some other provisions to bee sent to Helforde, and the saide barge beinge putt into Causon bay [fo. 149^v] outwards bounde by fowle weather, there came aboard them a boate from Causon with one John Bray the constable of Causon with others, and staid the saide barge and goods and broughte them backe againe into Plymouth ; and the said ordinance and goodes were landed by Sir John Elliott's order into his owne sellers in Plymouth, whoe possesse and had the same as goods seized uppon, and aboute three monethes after that Sir John Elliott had taken away the saide ordinance and goodes hee sente for this deponent and, after much threatneings to comitt, hee entred into a bond of one hundred poundes to appeare in the high courte of admirallty of Englande in London to answere his dealeinge therein, but after much mediation of this deponente and his freindes and to save this deponent a jorney to London, hee gave unto Sir John Elliott eighte poundes for his parte, and hee promised to cancell the bond, and Sir John gave this deponente backe againe twenty shillings of the said eighte poundes ; and this deponent alsoe saieth that hee loste twenty eighte poundes out of his purse by that business. [fo. 149^v].

Johannes Cunningham de Plymutha mercator annos agens xl annorum aut eo circiter testis productus iuratus et examinatus deponit ut sequitur :—

Ad secundum interrium this deponent saieth that aboute three yeares nowe laste paste there was a man of warr had taken at sea and had delivered to the saide Scotsmen broughte the saide French shippe with bancke fish into Plymouth and there sould all theire righte in the saide shippe and fish to this deponent ; and this deponente haveinge gotten comissions as well out of the high courte of the admiralty of England as of the admirallty of Devon for the quiett enioyeinge of the saide bargain, which comissions hee could not by any meanes gett to bee executed by Thomas Hardwin and John Bill, the officers of the admiralty of Plymouth, though hee much required and importuned it ; and hee saieth some twoe monethes after Sir John Elliott by color of his office of vice-admirallty disposessed this deponente of the saide French shippe and fish and put him in prison one and twenty dayes after to his greate hindrance and discredit, and the more to disable him to travaile to London to [fo. 150^r] to prosecute the cause, notwith-

standeinge hee offered sufficiente bayle a day or twoe after his comittmente, till in the ende to free this deponent out of prison hee was inforced and compelled by the saide Sir John Elliott to take fiftye poundes for his whole intereste in the saide shippe and her ladeinge of bancke fishe, which was worth at the least one thousand pounds.

Deposicons taken at Totnes in Devon before Sir George Chudleigh, Sir Bernard Grenvill, kts., and William Kifte, esq., the xxiiiith day of October 1627.

Christopherus Pottle de Totnes mercator annos agens 1 annorum aut eo circiter testis productus iuratus et examinatus deponit ut sequitur :—

Ad secundum interrium hee deposeth that aboute three or fower yeares nowe last paste there was a Dutch man of warr called Campon Fraunces that broughte into Torbay a shippe that had some figgs, reasons and some other goodes ; and this deponent understandinge that there was an entry made of the saide goods [fo. 150v] in the custome of Dartmouth hee thought hee mighte lawfully buy some of the saide goodes ; and thereupon hee broughte out of the saide shippe eighte hundred weight of figgs and three frailes of almonds ; and Sir John Elliott, kte., the then vice-admiral, heareinge thereof, sent for this deponent and examined him what goodes hee had boughte out of the saide shippe, which hee confessinge hee threatned this deponente that if hee did not deliver him the saide goods or the valewe thereof hee woulde either comitt him or bynde him over to appeare at London in the high courte, whereupon this deponent compounded with Sir John Elliott, and gave him seaven poundes to bee quiett, and for the which Sir John Elliott gave this deponente his acquittance under his hand nowe showed to the comissioners at the tyme of this his examinacon whereof there is a copyp lefte with the comissioners.

Anna Langon uxor Johannis Langon de Brixam annos agens xl annorum aut eo circiter testis [fo. 151r] productus iuratus et examinatus deponit ut sequitur :—

Ad secundum interrium this deponent saieth that aboute three yeares nowe last paste her husbände by an espetiall warrante from Mr. Kifte, the judge of the admirallty of Devon, seized on a shippe called the Flyeinge Harte at Brixam that had some salte in her, but at what rate the saide shippe and salte was appraised or to whome sould this deponente knoweth not, for that it was carried

away to Dartmouth by some of the vice-admirall's officers ; and at that tyme there was a boate alsoe seized on which Richard Randall and John Norber of Dartmouth sould to the pyratts for a cheste of sugar, which cheste of sugar this deponent's husband alsoe seized on in a seller in Brixam ; but the saide Randall and Norber or one of them broke open the seller dores and carried away the saide cheste of sugar, which this deponent did estimate to bee worth aboute fiveteene poundes.

Henricus Gowle de Torkey nauta annos agens lxi annorum aut eo circiter testis productus iuratus et examinatus deponit ut sequitur :—[fo. 151v]

Ad secundum interrium hee deposeth that three yeares last paste this deponent with others founde an anchor with some parte of a cable neere Torkey, which anchor and parte of cable, as this deponente nowe remembreth, was appraised at fower poundes ; and the same was carried from thence in a barge of Plymouth by some of the vice-admirall's officers there, whereof Richard Randall of Dartmouth was one. And this deponente with the company that founde the same had noethinge for the findeinge thereof.

Johannes Lile de Bishopps Taynton yeoman annos agens l annorum aut eo circiter testis productus iuratus et examinatus deponit ut sequitur :—

Ad secundum interrium hee deposeth that aboute twoe yeares last paste there was a shippe of rie broughte to Tingmouth which the company that was in her sayde they founde floatinge on the sea as a derelict ; and they were broughte into the porte of Tingmouth by some of the inhabitants neere Tingmouth, whoe were paid [fo. 152r] for their pillotadge seaven poundes or thereabouts ; and the saide rie was solde to the country at fower shillings the bushell land measure, and at five shillings water measuer, there beinge five hundred and twenty quarters of French rye, as doth appeare by a warrante out of the customehouse of Exiter nowe showed to the comissioners, this deponente beinge a deputy there of the Customehouse.

Nicolaus Wilkin de East Tingmouth yeoman annos agens l annorum aut eo circiter testis productus iuratus et examinatus deponit ut sequitur :—

Ad secundum interrium hee deposeth that aboute twoe yeares nowe last past there was a barcke of Newehaven or Brighthempston in Sussex of the burthen of thirty tonnes or thereabouts with salte cast away att Tingmouth and all the men saved ; and one Thomas

Muge, deputy to Sir John Elliott, kt., vice-admirall of Devon, made seizure of the saide barcke, and the master and parte owner of the saide barcke that was cast away tolde this deponente that hee could have noe restitution of the saide barcke [fo. 152v] from the vice-admirall or his deputies, but had onely ten poundes paide him by the saide Muge to beare his chardges home againe.

Thomas Spurway de Dartmutha mercator annos agens lxii annorum aut eo circiter testis productus iuratus et examinatus deponit ut sequitur :—

Ad primum et secundum interrium this deponente saieth that aboute fower yeares nowe last past on[e] Captaine Nutt, a reputed pyratte, was broughte into Dartmouth by the meanes of Sir John Elliott, the then vice-admirall, and the saide Nutt broughte in with him a shippe of Colchester with sugars and other goodes, which shippe and goodes were againe restored to the Owners and proprietors by some order or comission from London ; and hee sayeth that there was a suyte of apparell boughte at this deponents shopp by Richard Lumly of Dartmouth for the saide Captaine Nutt which cost tenn poundes or thereabouts, and the saide Lumly paide this deponent for it.

Ad tertium interrium this deponent saieth that Sir John Elliott, kt., the vice-admirall of Devon, apprehended twenty three of the [fo. 153v] saide Nutt's company and comitted them to the towne prizon of Dartmouth, where they remained prisoners about three monethes, and then this deponent, beinge then mayor of the saide towne, to free the towne prison sent the saide twenty three men of the saide Nutt's company to the goale of the cuntrye by a mittimus uppon suspition of piracy ; and hee saieth that Richard Lumly paide the chardges of the saide prisoners' dyett, as hee hath heard, by order from the saide Sir John Elliott. And hee further deposeth that there was a comission yssued out of the high courte of the admirallty of Englande directed to Sir John Elliott to this deponent the then mayor of Dartmouth and to Mr. Will. Kifte and others for the restitucon of the saide shippe of Colchester and the goodes, and Sir John Elliott at the first sitting of the saide Comissioners tooke upp the [fo. 153v] saide comission and putt it into his pockett, and would not proceede any further in the execution thereof to the dislike of the rest of the comissioners, whereuppon the said comissioners returned a certificate of his cariadge and behavior therein, and, as this deponent hath heard, Sir John Elliott was for the same afterwards comitted.

Richardus Randall de Dartmouth generosus annos agens xliiii annorum aut eo circiter testis productus iuratus et examinatus deponit ut sequitur :—

Ad primum et secundum interrium hee deposeth that aboute three or fower yeares laste paste there were thirty three chests of sugar or thereabouts seized on at Torkay by Sir John Elliott, then the vice-admirall, which were taken from a freeboter called Danyell Lenardson, and by his order sent to Plymouth in a Plymouth [fo. 154^r] barge and there disposed of but to whom or for what price this deponent knoweth nott. And hee saieth that there was a chest of sugar landed at Brixam key out of a Dutch freebooter, whereof the captaine was called Hugo Williamson, that this deponent and John Norber of Dartmouth boughte of the said freeboter in trucke of a boate and some other provisions they sould him ; and the saide cheste of sugar was worth aboute fiveteene or sixteene poundes. And hee saieth that aboute three or fower yeares nowe last paste there was a shippe of London driven into Salcome by a storme out of the which there were landed some malega wyne into a seller at Salcome, and this deponent was then at Salcom with Sir John Elliott when hee seized on the saide wyne, which wyne were sent to Plymouth by his order. [fo. 154^v]

Ad tertium interrium hee deposeth that there was one stoute messenger of the king's chamber came downe with some warrant to bringe Captaine Nutt to London ; and Sir John Elliott procured this deponent to carry the saide Nutt to London, which hee accordingly did and there delivered him upp ; and Sir John Elliott allowed this deponent for the chardge of carrieinge him to London ten poundes or thereabouts. And this deponent sayeth that there were some of Nutt's company sent to the countrey goale ; and that Sir John Elliott or some for him paide severall somes of money to Christopher Woode, Richard Lumly of Dartmouth and others for the chardge of the saide prisoners, but this deponent doth not remember that hee received or paide him any of the saide money. And hee further deposeth that this deponent did disburse and lay out of his purse for Captaine Hiatt's sicke men and for keepeege his shippe fifty poundes or thereabouts dureinge [fo. 155^r] the tyme of the stay of the saide shippe, which some hee is not yett repaide but is promised satisfaction. And hee alsoe deposeth that aboute twoe yeares nowe last past there was a Dutch shippe whereof a Marcelian was merchante that came from Sallye into Dartmouth in which shippe there was a quantity of drye fish and corfish, some

hides, some agoricke, some salsaperill and three chests of sugar, which goods Sir John Elliott seized on; and which was by him afterwards soulded and disposed of, but to whom it was soulded or at what rate this deponent knoweth not. And more to this interry hee cannot depose, saveinge that hee deposeth hee was noe appraiser of Captaine Hyatt's shippe.

Edwardus Kingman de Dartmutha mercator annos agens xliii annorum aut eo circiter testis productus iuratus et examinatus deponit ut sequitur:—

Ad secundum interrium hee deposeth that aboute three or fower yeares nowe last paste there was a Dutch skipper [fo. 155v] broughte into this deponente's house in Dartmouth about fower or five bolts of Holland some peeces of fustians with some lookinge glasses and lefte it in this deponent's keepeinge, which being made knowne to Sir John Elliott the vice-admirall, hee seized on the said goodes and tooke them from this deponente, which goodes this deponent esteemeth to bee worth sixteene poundes or thereabouts.

Willmoata Kingman de Dartmutha uxor Edwardi Kingman annos agens xliiii annorum aut eo circiter testis productus iuratus et examinatus deponit ut sequitur:—

Ad secundum interrium this deponente saith that aboute three or fower yeares now last past Sir John Elliott the vice-admirall seized on tenn peeces of fustians or thereabouts some three or fower bolts of Holland and some lookinge glasses in the house of this deponent's husbände in Dartmouth which [fo. 156v] goodes had been formerly lefte in his handes by a Dutch master of a shippe to keepe for him the valewe whereof this deponente knoweth not.

Johannes Viquers de Exon mercator annos agens lix annorum aut eo circiter testis productus iuratus et examinatus deponit ut sequitur:—

Ad secundum interrium this deponent saith that the 26th day of October 1624 this deponent with Richard Evans of Exiter, Thomas Bolitho, and Thomas Hickes of Lamcestam [Launceston?] did by of Richard Dyer, servant to Sir John Elliott, kt., the vice-admirall of Devon, eleaven chests of white sugars containeinge neat 1 C., iii quarter weighte at three pounce xvs. the C., eleven chests of muscovadoes cont. neate xlvj C., 1 quarter, and xxv at lvs. per C., and fower chests of panneales cont. neate xxi C., 1 quarter and iiiij C. at xxxvs. per C., amounteinge [fo. 156v] in the whole to the some of three hundred fifty twoe pounds eighte shillings, which saide sugars were parte of the sugars that Sir John Elliott

had formerly seized on at Torkey from Captaine Daniell Lynus alias Linerson ; and hee deposeth that the said Richard Dyer gave this deponent and his partners an acquittance for the receipt of the saide *iiiclii*l*i. viiis.* [*sic*], which is nowe showed to the comissioners at the tyme of his examinacon, and whereof hee hath lefte a coppie in theire handes ; and this deponent, doubtinge to deale with the saide Dyer for the saide sugars without some further warrant or assurance the saide Dyer, broughte this deponent to Sir John Elliott his master whoe warranted the saide contracte for the saide sugars soe sould by his servant.

Richardus Evans civitatis Exon mercator annos agens xxxi annorum aut eo circiter testis productus iuratus et examinatus deponit ut sequitur :—[fo. 157*r*]

Ad secundum interrium hee deposeth that the xxvith day of October 1624 this deponent with Mr. John Viquers, Thomas Bolitho and Thomas Hicks did by of a servant of Sir John Elliott's, the vice-admirall of Devon, called Richard Dyer a certaine parcell of sugars, that is to saye eleaven chests of white sugar containeing neate 1 C., iii quarters at *iii*l*i. per C.*, eleaven chests of muscovados containeing neate xlvj C., i quarter and *xxv*l*i. at lvs. per centum*, and fower chestes of panneales containeing xxi C., 1 quarter and *iii*l*i. at xxxvs. per C.*, amounteing in the whole to the some of three hundred fifty twoe poundes eighte shillings ; and this deponent was informed by the said Richard Dyer that those sugars were parte of the sugars which Sir John Elliott seized on out of a pyratt at Torkey some short tyme before ; and hee further saieth that the said Richard Dyer gave this deponent and his partners an acquittance for the receipte of the saide *iiiclii*l*i. viiis.*, which Sir John Elliott his master afterwards confirmed to bee effectuall in this deponent's presence. [fo. 157*v*]

Johannes Streate de Dartmutha mercator annos agens xxx annorum aut eo circiter testis productus iuratus et examinatus deponit ut sequitur :—

Ad secundum interrium hee deposeth that aboute July 1625 laste paste there was a Flemish shippe called the Master of Flushing of the burthen of one hundred tonnes or thereabouts, with her ladeinge of salte and with her furniture provisions and fower peeces of ordinance, which was broughte into Dartmouth and there seized on by some of Sir John Elliott's officers ; and the saide Sir John Elliott, the vice-admirall sould to this deponente and to Andrewe Voysey, William Sevey and to John Newman of Dartmouth the

saide shippe and such furniture as shee had for the price of twoe hundred and twenty poundes ; and hee likewise sould the said salte in the saide shippe unto this deponent and to Richard Randall, Andrewe Samwayes and John Norber for the price of twoe hundred and twenty poundes more, beinge in the whole fower hundred and forty [fo. 158^r] poundes, which money was accordingly payd by this deponent and his partners to one Maurice Hill, Sir John Elliott's servant and to his use.

And hee further saieth that aboute twoe yeares last paste there was a Flemish shippe of the burthen of lxx tonnes or thereabouts brought into Dartmouth, wherein there was drye fish, sugars and apothicary drugs, with other goodes, and there seized on by Sir John Elliott or by some of his officers ; and by his order landed sould and disposed of ; and hee knoweth that the saide Dutch shippe was sould by the saide Vice-admirall's authority to John Richards and John Budleigh of Dartmouth for the price of one hundred and five poundes or thereabouts.

Thomas Dipford de Plymutha mercator annos agens lviii annorum aut eo circiter testis productus iuratus et examinatus deponit ut sequitur :—

Ad secundum interrium hee deposeth that three or fower yeares last paste there was a French shippe of Newehavon laden with [fo. 158^v] banckfish broughte into Plymouth by certaine Scotsmen that had receuied her from some Turkish Pyratts that had formerly taken her ; and hee saieth that the saide Scotsmen sould there righte righte and intereste in the said French shippe and fish to one John Coneingham of Plymouth, and because the saide Coneingham asked a greate some of money for the salvadge of the saide shippe and goodes and others demaunded other severall somes of money for the same, Sir John Elliott, the Vice-admirall, beinge intreated by this deponente and some others to order the said busines, whereuppon hee the saide Sir John was to have one hundred and fifty poundes or thereabouts from the Frenchmen to pay all chardges that was demaunded for the same, and this deponent payd by the saide Sir John's order fifty poundes to the saide Coneingham for his parte but to whom the other hundred poundes was paide this deponent knoweth not. [fo. 159^r]

Deposicons alsoe taken at Totnes in Devon the xxiiiith and xxiiiiith dayes of October 1627 before Sir George Chudleigh, kt. and baronett, Sir Bernard Grinvill, kt., John Drake, Walter Yough and William

Kifte, esqs, comissioners aucthorized by vertewe of the saide comission; and Sir Edward Seymor beinge a comissioner and not takeinge uppon him the burthen of the execution of the said comission was produced sworne and examined as a witnes the xxiiith day of October 1627.

Edwardus Seymor de Bery Pomroy miles et baronettus annos agens xlix annorum aut eo circiter testis productus iuratus et examinatus coram commissariis deponit ut sequitur:—

Ad secundum interrium hee deposeth that there was a Dutch shippe called the Josua of the burthen of twoe hundred tonnes or thereabouts broughte into Dartmouth by Captaine Hyatt about three yeares last paste which saide shippe with her full tackle, furniture and provisions with twelve peeces of ordinance was seized on by Sir John Elliott, the vice-admirall of Devon, and afterwards the lord high admirall of Englande gave to this deponente the saide shippe with all her tackle, apparell and furniture, to bee sente to sea by him as by his grace's warrant to Sir John Elliott doth appeare, notwithstandinge the said Sir John Elliott chardged this deponent uppon some accounts betweene them with the some of three hundred poundes for his parte of the moyetye of the saide shippe and furniture, pretendinge the halfe of the saide shippe, ordinance and furniture to belonge to him in the righte of his office of vice-admiralty; and the saide shippe and furniture was accordingly delivered to this deponent by my lord's saide guifte and by Sir John Elliott's order.

Thomas Mage de St. Nicholas in com' Devon' mercator annos agens lx annorum aut eo circiter testis productus iuratus et examinatus deponit ut sequitur:—

Ad secundum et tertium interrium hee [fo. 160 r] deposeth that three yeares nowe last paste or thereabouts there was broughte into Tingmouth by Dutchmen a Dutch shippe laden with rye which was of the burthen of eightie tonnes or thereabouts, and there seized on by Sir John Elliott or by some of his officers by his auctoritye which rye was called to the countrey and sould at fower shillings the bushell the land measure and five shillings the bushell the water measure; and some of Sir John Elliott's deputies or servants receaved the money for the same but what the quantity of the rye was this deponent knoweth not; and hee saieth that aboute twoe yeares nowe last paste there was a barcke of Newhaven in Sussex of the burthen of thirty tonnes or thereabouts laden with salte driven a shoare neere Tingmouth and there cast away but all the men were saved and landed at Tingmouth which shippe was by

Sir John Elliott's order seized uppon and afterwards this deponent compounded with the master and parte owner of the saide barcke called William Gurr by vertue of a warrante directed to [fo 160v] this deponent from Sir John Elliott, which warrante is now showed to the comissioners and a coppie thereof lefte with them, wherein hee appoints him to pay the saide Gurr ten pounds to releive him and his company and to accounte with him for the rest, which some of ten poundes this deponente paide the saide Gurr and tooke his receipte for the same.

Andreas Voysey de Dartmutha mercator annos agens xli annorum aut eo circiter testis productus iuratus et examinatus deponit ut sequitur:—

Ad secundum interrium hee deposeth that aboute twoe or three yeares last past Sir John Elliott or some by his authority sould to this deponente William Seaven, John Streate and John Newman of Dartmouth a certaine Dutch shippe of the burthen of one hundred tonnes or thereabouts called the Waster of Flushing as they then called her, and this deponent and partners paide unto the said Sir John [fo. 161r] Elliott's servants to his use for the saide shippe, furniture and ordinance the some of twoe hundred poundes and upwards.

Andreas Samwayes de Dartmutha Pistor annos agens xliiii annorum aut eo circiter testis productus iuratus et examinatus deponit ut sequitur.

Ad secundum interrium hee deposeth that aboute twoe or three yeares last paste there was a Dutch shippe laden with salte broughte into Dartmouth and there seized on by Sir John Elliott or some of his deputies and John Streate, Richard Randall, John Norber and this deponent of Dartmouth boughte the salte in the said shippe of Sir John Elliott or of some of his servants or deputies and paide for the same twoe hundred and twenty poundes or thereabouts.

Edwardus Spurway de Dartmutha mercator annos agens xxiii annorum aut eo circiter testis productus iuratus et examinatus deponit ut sequitur:—

Ad primum et secundum interrium this deponent [fo. 161v] saith that aboute twoe or three yeares last past this deponent with his brother William Spurway did buy of Sir John Elliott a smale shippe called the Flyeing Harte of the burthen of forty tonnes or thereabouts for the price of three score and thirteene poundes, which money was paide to Sir John Elliott accordinglie; and hee saith that the saide shippe was formerly seized on by Sir John

Elliott or some of his officers at Brixam key, and hee saieth that aboute fower yeares laste paste this deponent with his brother William Spurway and some others boughte a parcell of bayes of Richard Randall or John Norber which came unto thirteene poundes or thereabouts, which bayes were broughte into Dartmouth in Captaine Nutt's shippe.

Willimus Spurway de Dartmutha mercator annos agens xxx annorum aut eo circiter testis productus iuratus et examinatus [fo. 162^r] deponit ut sequitur :—

Ad secundum interrium hee deposeth that aboute three yeares last paste there was a barcke of the burthen of forty tonnes or thereabouts called the Flyeing Harte seized on in Brixam key by Sir John Elliott and by him sould to this deponente and to his brother Edward Spurway for seaventy three poundes which money was by him accordingly paid to the said Sir John Elliott.

[fos. 162^v–164^r blank]

[fo. 164^v]

At the auld aumerye at Westminster, enquerie of Sir John Elliott. At one Mr. Jackson's house.

Coppie of the comission of inquiry upon the sequestration of the viz. admyral.

Anno 3. [*two letters illegible*]

D. BRIEF OF EVIDENCE AGAINST SIR JOHN ELIOT, 1627

*A breif of such matters as have bene discovered against Sir John Elliott uppon examinationes taken by comission, in the county of Devon, October last, 1627.*¹

First it appears that Sir John Elliot hath not dealt truly in his accounts with my lord admirall, as in these particulars:—

1. Wheras in his account for the year 1623 he chargeth himself with fowre peices of iron ordonance seized in Causon Bay sould for 37*li.* it appeares by proof that at the same time ther was cordage and other goods seized to the valew of eighty pounds having bene lately bought for that price, as is deposed by Michael Prior who had interest in the same.

2ly. Wheras he chargeth himself in his account for the year 1624 with 33 chests of sugar seized at Torbay, sould, as he sayth, for 225*li.*, and the monyes payd into the admirall court, it appears by the depositions of John Viguers and Richard Evans merchants of Exeter, that they gave for 26 chests of those sugars 352*li.* 8s., and uppon enquiry in the registry of the admirall court it appears that the whole sune acknowledged by Sir John Elliott was not payd, but only 100*li.*

3ly. Wheras he chargeth himself in his account for the same year 1624 with 259 quarters of rye found in a direlict brought into Tingmouth, sould, as he sayth, in February 1624 for 512*li.*, it appears by the deposition of John Lisle officer of the custom howse of Exeter, and a note shewed out of the custom howse, that ther was brought in in that direlict 520 quarters of French rye.

4. Wheras he chargeth himself in his account for the same year

¹ P.R.O., S.P.D., Charles I, xc, no. 85. The date given on the verso is 18 Jan. 1627(/8), but the editor has entered 11 Jan. with a query in pencil.

1624 for a ship called the Flyeng Hart as an ould ship, burthen 30 tonne, sould for 50*li.* about July 1624, it appears by the depositions of Edward Spurway, and William Spurway that that ship was of the burthen of 40 tonnes, and that they payd for her to Sir John Elliot 73*li.*

5. Whereas Sir John Elliot desires allowance for the moytie of Hyatt's ship which was delivered by my lord admirall's warrant to Sir Edward Seymer according to the appraisement 337*li.* 15*s.* 8*d.*, Sir Edward Seymor delivers uppon his oath, that Sir John Elliot hath charged him uppon accounts between the two with 300*li.* for his part of that ship, as belonging to him in right of his office.

Secondly it appears that Sir John Elliot hath misdemeand himself in the execution of the office of vice-admirall in those parts as namely :—

1. In suffering pyrats for composition to come in safety into the king's harbours and to depart again : videlicet, in July 1626 he received of one Jacob Johnson Bownticous a Dutch freebooter in the sound of Plimouth for composition 15*li.* by the hands of Thomas Hardwyn his deputy. Likewise in September following of another Dutch freebooter he received for like composition 2000 banckfish, which were sould for 20*li.*, and the same mony payd to Sir John Elliot by the same Hardwyn who deposeth of both.

2ly. In releasing of pyrats whome he had committed, after he had received mony or goods from them, without farther prosecution, or tryall, as namely ; about 3 years since he committed one Michael Rowe and 6 or 7 others as pyrats, and, having taken from them some sylver bullion and mony which they had received, he released them and suffered them to depart, as is deposed, by John Skyunner goldsmuth of Plimouth, and Felix Gill the marshall's wyfe, who sayth her husband was never payd for their charges lyeing at his howse.

3ly. In extorting summes of mony from the king's subiects by threatning to imprison them, and binding them over to answere above in the admirall court, as namely from one Michael Prior for dealing in ordonance he [*last line of page is cut away*] and of one Nicholas Harris, whome he had bound over to answere in London for the same matter 7*li.*, uppon receyt wherof he dismiss him and promised to cancell his bond, which matters are severally deposed by Prior and Harris.

Also he committed one John Cunningham a merchant of Plimouth,

concerning a French ship which he had bought of Scotts who brought her in, and dityned him in prison one and twenty dayes, and would admitt no bayle, until the sayd Cunningham had yelded to take 50*li.* for his interest in that ship and her lading, which he sayth was worth 1000*li.*, as the sayd Cunningham deposeth, but, as one John Dipford deposeth, the French, who claymed that ship and goods, were to give Sir John Eliott 150*li.* to free her, of which 50*li.* was given to Cunningham, but what became of the rest it doth not appear.

4th. In seizing goods unduly, as:—

A ship called the Neptune of London laden with 24 pipes of Mallega wyne and 2 hogsheads of aquavita being driven on shoare at Salcomb, and the goods put under custody of the officers of the custom howse, by the master of that ship, Sir John Eliot by strong hand disposessed the officers and disposed of the goods, and afterwards being sollicitated by one Robert Barker on behalf of the owners, after two years' attendance he gave an account, wher he charged himself with 162*li.*, wheras the wyne were worth 300*li.*, and diducted 88*li.* charges, besides the king's dutyes, and after a year more gave his bond for payment of a hundred pounds within a year after, the bond having no date, and remayning yet unsatisfied, as is deposed by the same Robert Barker.

A bark of Sussex laden with salt being wreckt near Tingmouth, although the men were all saved, yet Sir John Elliot seizd the bark, and gave the master only tenn pounds as is deposed by Nicholas Wilkyn, and appears by a warrant under his own hand.

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